OFFICIAL RECORD OF PROCEEDINGS

Thursday, 16 October 2014

The Council continued to meet at Nine o'clock

MEMBERS PRESENT:

THE PRESIDENT
THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

THE HONOURABLE LEE CHEUK-YAN

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

DR THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, G.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, B.B.S., M.H.

PROF THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P., Ph.D., R.N.

THE HONOURABLE JEFFREY LAM KIN-FUNG, G.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, S.B.S., J.P.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CYD HO SAU-LAN, J.P.

THE HONOURABLE STARRY LEE WAI-KING, J.P.

DR THE HONOURABLE LAM TAI-FAI, S.B.S., J.P.

THE HONOURABLE CHAN HAK-KAN, J.P.

THE HONOURABLE CHAN KIN-POR, B.B.S., J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN, S.B.S., J.P.

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG KWOK-KIN, S.B.S.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

THE HONOURABLE PAUL TSE WAI-CHUN, J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE CLAUDIA MO

THE HONOURABLE MICHAEL TIEN PUK-SUN, B.B.S., J.P.

THE HONOURABLE JAMES TIEN PEI-CHUN, G.B.S., J.P.

THE HONOURABLE NG LEUNG-SING, S.B.S., J.P.

THE HONOURABLE STEVEN HO CHUN-YIN

THE HONOURABLE FRANKIE YICK CHI-MING

THE HONOURABLE WU CHI-WAI, M.H.

THE HONOURABLE YIU SI-WING

THE HONOURABLE GARY FAN KWOK-WAI

THE HONOURABLE MA FUNG-KWOK, S.B.S., J.P.

THE HONOURABLE CHARLES PETER MOK, J.P.

THE HONOURABLE CHAN CHI-CHUEN

THE HONOURABLE CHAN HAN-PAN, J.P.

DR THE HONOURABLE KENNETH CHAN KA-LOK

THE HONOURABLE CHAN YUEN-HAN, S.B.S., J.P.

THE HONOURABLE LEUNG CHE-CHEUNG, B.B.S., M.H., J.P.

THE HONOURABLE KENNETH LEUNG

THE HONOURABLE ALICE MAK MEI-KUEN, J.P.

DR THE HONOURABLE KWOK KA-KI

THE HONOURABLE KWOK WAI-KEUNG

THE HONOURABLE DENNIS KWOK

THE HONOURABLE CHRISTOPHER CHEUNG WAH-FUNG, S.B.S., J.P.

DR THE HONOURABLE FERNANDO CHEUNG CHIU-HUNG

THE HONOURABLE SIN CHUNG-KAI, S.B.S., J.P.

DR THE HONOURABLE HELENA WONG PIK-WAN

THE HONOURABLE IP KIN-YUEN

DR THE HONOURABLE ELIZABETH QUAT, J.P.

THE HONOURABLE MARTIN LIAO CHEUNG-KONG, S.B.S., J.P.

THE HONOURABLE POON SIU-PING, B.B.S., M.H.

THE HONOURABLE TANG KA-PIU, J.P.

DR THE HONOURABLE CHIANG LAI-WAN, J.P.

IR DR THE HONOURABLE LO WAI-KWOK, B.B.S., M.H., J.P.

THE HONOURABLE CHUNG KWOK-PAN

THE HONOURABLE CHRISTOPHER CHUNG SHU-KUN, B.B.S., M.H., J.P.

THE HONOURABLE TONY TSE WAI-CHUEN, B.B.S.

MEMBERS ABSENT:

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE WONG YUK-MAN

PUBLIC OFFICERS ATTENDING:

THE HONOURABLE LAI TUNG-KWOK, S.B.S., I.D.S.M., J.P.
SECRETARY FOR SECURITY

MR JOHN LEE KA-CHIU, P.D.S.M., J.P.
UNDER SECRETARY FOR SECURITY

CLERKS IN ATTENDANCE:

MR ANDY LAU KWOK-CHEONG, ASSISTANT SECRETARY GENERAL

MISS FLORA TAI YIN-PING, ASSISTANT SECRETARY GENERAL

MISS ODELIA LEUNG HING-YEE, ASSISTANT SECRETARY GENERAL

MR MATTHEW LOO, ASSISTANT SECRETARY GENERAL

MOTION FOR THE ADJOURNMENT OF THE COUNCIL

PRESIDENT (in Cantonese): Good morning. Council now resumes and continues with the debate on the motion for the adjournment of the Council under Rule 16(2) of the Rules of Procedures.

MOTION FOR THE ADJOURNMENT OF THE COUNCIL UNDER RULE 16(2) OF THE RULES OF PROCEDURE

Continuation of debate on motion which was moved on 15 October 2014

MS CYD HO (in Cantonese): Good morning, President. It is always said that institutional violence is common in Hong Kong but it cannot be detected easily; nor can it be perceived easily. Apart from the examples of the Urban Renewal Authority Ordinance and the Mass Transit Railway Ordinance, compulsory acquisition of private properties with very low prices under the legislation on land rehabilitation is another. This kind of acquisition has driven many people out of their places and made life very difficult for them. This is the institutional violence we have in Hong Kong, something not that easy to be perceived in the past. However, to our surprise, public officers or civil servants can nowadays be seen laying their hands brazenly on peaceful people but senior management of the Police, as well as officials of the Security Bureau, can go so far as to evade the facts, and tolerate and connive at these acts of violence. President, people were bullied and oppressed in the past with such excuses as administering in accordance with the law or promoting economic development, but the Police Force has now chosen to attack blatantly defenceless civilians with weapons far more lethal than the circumstances warranted.

As a matter of fact, the handling of public activities by the Police Force has been subjected to a lot of queries since Joshua WONG has illegally entered the East Wing Forecourt of the Central Government Offices on the night of 26 September. Several students have been arrested by the Police in the incident but unexpectedly, there was no intention to release the students on bail within 48 hours. It is astonishing to see that a 17-year old secondary school student and young men in their twenties like Lester SHUM and Alex CHOW have to be detained for a period comparable to that required for suspects of such serious crimes as murder, arson and rape cases. Eventually, an application for a writ of *habeas corpus* was made and the judge has timely ruled that it was unreasonable

for the Police to handle their detention this way. Although the application of *habeas corpus* was made by solicitors for Joshua WONG only, the other two leaders of the student movement were also released by the Police once the judgment was handed down, since the judge stated in the judgment that they were actually under the same condition. It is fortunate that we still have an independent judicial system in Hong Kong; otherwise there would be no check and balance for the Police's decision to refuse bail in this case, which is both unreasonable and unprecedented.

Subsequently, the Police announced on 28 September that the public meeting held on Tim Mei Avenue was illegal although it actually involved the issue of the freedom of assembly. There were indeed only 1 000-odd people on Tim Mei Avenue at that moment. Had the Police understood that they had the responsibility of facilitating members of the public to have peaceful assembly and let the people gathered on Tim Mei Avenue continue to assemble at the scene in a peaceful manner instead of announcing the assembly illegal, there would not have been a rally of 60 000 to 70 000 people shortly afterwards on Harcourt Road outside Admiralty Centre and the Hong Kong Academy for Performing Arts to counter-besiege the Police Force. Neither would there have been the firing of a total of 87 tear gas canisters in the 12 consecutive hours from 6 pm in the evening of 28 September, causing injuries to so many people.

President, Hong Kong was actually in a very dangerous state that night and I personally feel that a trap was laid before Hong Kong people by some powerful and influential figures. On the one hand, lethal weapons far from being necessary were used disproportionately by police officers against the public while on the other, persons of dubious background were seen trundling trolley carts loaded with iron bars and wooden boards by some of our voluntary workers. Attempts had also been made by such persons to put wheelbarrows of shovels used by construction workers at construction sites on the roads outside the United Centre and the Lippo Centre beside some planters but the efforts turned futile when some people stepped in to interfere. If the people in the crowds had failed to control their temper and had retaliated with such potent arms put on the scene, the Police would have had justifiable excuses to open fire and suppress the crowds. Fortunately, Hong Kong people were the best and the bottomline of having a peaceful assembly had been maintained. As no one ever tried to fight back with such potent arms, Hong Kong has survived that crisis-ridden night.

At 10.40 pm that night, we were told by many experienced journalists that the Police would open fire about one hour later at midnight and the rumour had spread so widely that we were really worried. It was fortunate that some officials at a certain high rank might have noticed that although canisters of tear gas had been fired, Hong Kong people would only respond by putting their hands up in front of the Police. Knowing very well that the international media was watching, anyone who caught sight of such a scene would definitely realize that firing at these people would only arouse public resentment, not only locally among the people of Hong Kong but also internationally in many countries which would find themselves obligated to voice their objection. Thus, at the final critical moment, things did not turn out as the rumour of opening fire suggested and thanks to the noble quality of Hong Kong people, we managed to escape the misfortune.

What have the Police said subsequently? As stated by the Secretary for Security yesterday, since people were found equipped with such gear as cling film, umbrellas and wet towels, they were considered as well prepared. Such being the case, it was anticipated that they would charge at the Police and the use of tear bombs was therefore necessary. What an outrageous explanation it is to completely invert the cause and effect. Since people learned from the arbitrary use of pepper spray by the Police in the past, they sought to protect themselves with cling film this time, which was actually an inferior way to resort to a mere household item for the provision of the most basic protection. Yet, the blame has been put on these ordinary people for the argument that since they knew how to protect themselves, the use of tear bombs was necessary. This is really ridiculous and no wonder many people in the demonstration area down there have queried the reasons for paying tax and rates year after year, thus providing the Government with the financial resources required to pay for the salaries of such officials and procure tear bombs used against Hong Kong people. Why should we pay tax?

President, what kind of people have stayed in the demonstration area down there for 16 days? There are teachers, social workers, people from the financial sector, engineers, culturati, academics and even small business owners in Wan Chai, and therefore it is incorrect to say that the movement attracts no supporter from the business sector. There are professionals earning high salaries and holding decent jobs coming every day to spend the night there until 3 am, and then go home for some shuteyes and go to work as normal in the morning. There are also students staying overnight in the demonstration area and some of

them are coming every day in the last 10-odd days. Has the Government ever reflected on itself to find out why so many people in so many different social strata are so angry?

President, as reported in the newspapers, after 28 September, some Members in the pro-establishment camp have taken the initiative to discuss the matter with several Members of the pan-democratic camp. A consensus was reached by Members then to do our very best to avoid bloodshed and it was also agreed that efforts should be made by both parties to prevent the already intensified tension from escalating further. However, not long after the meeting, an incident occurred in Mong Kok in which students participating in peaceful assembly were attacked by persons suspected to have triad background. Video footages of the incident reveal that the students affected were so afraid that they could only hold on to a vulnerable tent stake and turn their backs on the people outside since it was a situation they had never encountered before. Nevertheless, only a small team of police officers was deployed to the scene to handle a confrontation involving thousands of people. If 7 000 police officers can be mobilized right away to Lung Wo Road and Harcourt Road, how come only a small team of police officers was deployed to the scene in Mong Kok that night when peaceful demonstrators were attacked by some thugs?

Our sympathy goes out to the police officers attending the scene that night because it can be seen from news reports that police manpower deployed was far from adequate for maintaining order at the scene. Why was there such an arrangement by the Police Force? It has also been witnessed that some thugs were caught red-handed by the Police at one end of the street but were released down the street at the other end and escorted to leave by taxi. Apart from the criticism against the Police for tolerating and conniving at triad activities, there are also queries about the possibility of off-duty police officers participating in the attack. Regarding these queries, the Police have of course adopted an evasive attitude. President, culturati have already started collecting pictures and video recordings among the people and those who have first-hand experience of the various incidents will be invited to immediately give an oral account of what they can recall. These records will become inerasable proofs of crimes against the Government in future.

On the night of 14 October, in further defiance of the law and natural morality, Ken TSANG, a social worker with both hands tied behind his back and who had no ability to resist, was pulled to a corner of the Tamar Park where he

was subjected to punching and kicking. They just could not wait, could not wait to beat him up when he was on board police vehicle or after he had been brought to the police station. President, there is sufficient evidence to prove that the Police were very much worked up and were in a crazed urge to fight then. Why is there such a change in the police culture? Actually, this is not the first time that people under arrest have been beaten up savagely by the Police. On 13 June, in a rowdy protest at the Legislative Council Complex, five protesters were pulled on board police vehicle and after the curtain had been drawn down and the light was off, they were beaten up for 15 minutes. On the night of 14 October, one night before Ken TSANG was beaten up, attempts had been made somewhere else by some individuals to occupy roads and cause traffic blockage. To our knowledge, five people who tried to occupy the junction of Ice House Street and Des Voeux Road Central that night were brought to the police station, where a girl student among them lost her front teeth. I believe such facts will be exposed to the public one by one. Since they have already been arrested by the Police, the only thing that should be done is to have them prosecuted and brought before the court in accordance with the law so that they will receive a sentence to which they are liable in court proceedings. Imposing extrajudicial punishment in the police station or even in public places should be the last thing to do.

President, it is the duty of the Police Force to prevent crime and enforce the law to ensure public safety while at the same time safeguard the people's interests in exercising their civil rights and for this, we have always queried how well the Police Force know about human rights. However, the Security Bureau has been giving us half-hearted replies all these years and we have also noticed that there would be a change in the police culture whenever a different person is selected to fill the position of the "number-one man" of the Police Force. During LEE Ming-kwai's tenure as the head of the Police Force, BEETHOVEN music was used to subdue the voice of peaceful demonstrators, which was indeed a very civilized way to tackle the problem. How about TSANG Wai-hung now? Most ridiculously, when a police officer was accused of blocking the camera with his hand, he tried to explain that the officer actually got his hand trapped in the camera, showing that he was only telling lies with his eyes wide open. Therefore, we have reasons to believe that when it has become increasingly common for the Police to beat up members of the public and even journalists savagely, this must have something to do with the "number-one man" TSANG Wai-hung. We do need an authority in the community to maintain public order

and ensure credibility, but without trust from the people, this authority will not be tenable. In order to secure trust from the public, law should be enforced in an impartial manner. If law is enforced through violent means, the bitter hatred of the people will be the only thing to be earned.

President, I would finally like to pay tribute to the people in the Umbrella Plaza. All of us in the Umbrella Plaza share a common goal, and it is a civil society in which we care for each other. Social order has been established from scratch in the Plaza and it has proved to be effective. We share resources and introduce green measures into the community, and the waste recovery initiatives implemented are even more successful and effective than those of the Food and Environmental Hygiene Department. Nevertheless, I know very well that the Plaza will most regrettably disappear in the short or medium term, since we will not be able to withstand police violence and triad activities. However, I understand that all of us who have once lay on Harcourt Road and Tim Mei Avenue will, even after we have left the place, still have an Umbrella Plaza in our hearts. This Umbrella Plaza in our hearts will become an even stronger force in our future pursuit of democracy.

My words to the Government: You will only suffer an even more devastating defeat if violence is the only thing you rely on.

MR IP KWOK-HIM (in Cantonese): President, pan-democrat Members are displaying slogans of "Police are imposing extrajudicial punishment and absolutely lawless" in the Chamber. I believe that detailed investigation is required before we know whether the Police are really "absolutely lawless". But it is obvious to all that some Occupy Central protestors are showing contempt for the law. Since Occupy Central was launched on 28 September, protestors kept on expanding the occupied districts incessantly, extending the districts from Admiralty in the direction of Wan Chai and Causeway Bay. At the same time, the occupation was spread to Mong Kok and Tsim Sha Tsui districts. Some protestors even attempted to occupy Chai Wan, Yuen Long, Tsuen Wan and Sham Shui Po, but they were warded off by local residents in no time. Occupy Central became Occupy Hong Kong. Major commercial and shopping zones and living quarters all over Hong Kong Island and Kowloon were occupied by protestors.

Although these protestors did not break shop windows or loot the shops, they stole mill barriers from the Police and planks and bricks from construction sites. They even hijacked buses as barricades. They blocked roads and MTR exits of their choice and at their pleasure. Even vehicles for emergency services could get access only with the permission of protestors, who had also surrounded police headquarters as well as the Chief Executive's office. Irrespective of whether they are incoming or outgoing police vehicles, ambulances and vehicles delivering meals, access is only allowed after inspections by protestors. The behaviour of protestors is close to that of anarchism. Can these people do whatever they like and show contempt for the law as long as they wear a halo of "civil disobedience" above their heads?

Occupy Central initiators have all along emphasized that Occupy Central is a campaign of non-violent resistance, as protestors will sit on the streets with their arms folded and wait for the Police to carry them away. They even say that they will go to police stations and turn themselves in. However, what we can see now is a different story. Protestors occupy roads unlawfully and obstruct traffic, causing much impact on the economy as well as the livelihood of the people. The public are irate in view of the behaviour of these protestors. A few days ago I was having meal in a small restaurant. Everybody in the restaurant approached me and asked when exactly would the campaign end, and if there was any means to stop protestors from disturbing their daily life. Furthermore, clashes broke out between supporters and opponents of the occupation due to the blockage of roads. Some members of the public and District Council Members paid a visit to the occupied districts in person and begged protestors to let traffic get through. The most impressive scene was that even when an 80-year old man knelt down to beg protestors to remove the barricades, the protestors remained unmoved.

Since the commencement of the occupying actions, I believe each and every Hong Kong citizen is heart-broken. People keep asking, "Is this the Hong Kong that we know well?". In the Occupy Central and anti-Occupy Central actions, we discover that under the same roof of Hong Kong, people are fighting among themselves. Even family members and friends confront each other due to their different standpoints. Our society is drastically ripped apart. Where has gone the catchphrase of peace and love that the Occupy Central organizers keep saying? Occupy Central protestors keep saying "Save our own Hong Kong", but what is the current situation of Hong Kong? It is "destroy our own Hong Kong", it is nothing but destruction. The occupation actions that

"mushrooming all over the place" has become "skirmishing all over the place". Among all confrontations or even scuffles between Occupy Central supporters and anti-Occupy Central supporters in various districts, the situation in Mong Kok is the worst. Since the commencement of Occupy Central, there are no fatal cases so far. In this unfortunate even, I believe it is the only blessing, which is attributable to the Hong Kong Police Force holding fast to their duty to maintain social order.

Facing the unprecedented challenge of the occupation actions, the Police, in their capacity as the law enforcing agent, are caught in the middle. On the one hand, Occupy Central opponents are disgruntled about the tardy response of the Police in the clearance of the occupied districts. On the other hand, Occupy Central supporters accuse the Police for using excessive force on various occasions. The adjournment motion moved by Mr Alan LEONG today pinpoints at the approach adopted by the Police in handling Occupy Central demonstrations. A number of pan-democrat Members made one-sided accusation to the Police in their speech for the abusive use of force by the Police and that the Police were unjust in enforcing the law. Actually, the pan-democrat Members whose speeches I have heard are all Occupy Central participants. They have a conflict of interest. Therefore, I do not consider their comments objective. Just now I have listened to the biased remarks of Ms Cyd HO and I believe that it is a rather eye-opening thing for everyone to watch on television.

The occupation action commenced in the small hours on 28 September. In the evening before that, the Police used tear gas to disperse people engaging in an unlawful assembly. On the next day, the pan-democrat Members held a press conference and accused the Police for abusive use of force. On 3 October, clashes between more than 10 000 supporters and opponents of Occupy Central broke out, resulting in a number of injuries. On the next day, pan-democrat Members held another press conference to condemn the Police for enforcing the law selectively or even turning a blind eye to triad thugs who attacked Occupy Central protestors. Mr Gary FAN even claimed with certainty that the Police were colluding with triad gangsters to crack down on Occupy Central supporters.

The allegations made by pan-democrat Members against the Police were extremely serious. May I ask, when the Police used tear gas to disperse people gathering in Admiralty, was every one of you standing right in front of the police cordon line? Did you see the entire incident when it took place? Or, when the serious clashes broke out in Mong Kok, did you witness that the police were

standing by with folded arms and did not intervene, thereby allowing Occupy Central supporters being beaten up? Or are you just thinking that you understand the whole matter after seeing something on television and hearing words or receiving bits and pieces of messages? Any allegation should be supported with evidence. I consider it extremely irresponsible if someone makes such an accusation against the Police without having the supporting evidence.

President, I learnt the situation by watching television at the time when the Police used tear gas on 28 September. I could see on television that the situation was chaotic. I could hear the sound of tear bombs being fired from time to time, and I could see protestors fleeing the scene in a shroud of smoke. Through the live telecast, I could also hear that someone shouted "police shooting!". My immediate reaction was to ask, "How can that be? Is it real?" It was later confirmed that it didn't happen. However, just now I heard Ms Cyd HO point out that someone had fired a shot, and she said that with certainty. Thus it shows that some people at the scene were deliberately disseminating false news with a view to inciting the mood of protestors, so that it would cause bigger difficulty for the Police to control the situation.

According to the subsequent police announcement, the Police fired the first canister of tear gas at 5.58 pm on 28 September. I saw a clip on the Internet, and the shooting time was at about 5.30 pm on 28 September. In other words, it was shot about half an hour before the Police fired the first canister of tear gas. I could see from the clip that a large group of people were standing in front of the police cordon line. They kept jostling and charging at mill barriers and the police cordon line. If Members are interested in watching that clip again, you may find out that the Police were substantially outnumbered by demonstrators. They had no alternative but to use pepper spray to keep demonstrators back off, yet they failed. Some demonstrators even used the steel poles and ribs of the umbrellas to attack police officers. One of the commanders who gave the order to use tear gas said that they had no regret for making the decision when he was interviewed by *South China Morning Post* later on. He said that at that time, demonstrators had already broken through the cordon line, and had they not used tear gas, the police officers might had been seriously injured or even killed.

The situation described by the commander tallied with the clip I watched on the Internet. Over the past few days, a lot of video clips related to Occupy Central were uploaded to the Internet and the Independent Police Complaints

Council (IPCC) suggested that the Complaints Against Police Office should gather these clips from the Internet with a view to assisting the analysis and handling of complaint cases. I consider this a very good approach. I also believe that through a comprehensive collection of information, we can have a full picture of what had happened which led to the decision made by the commander to use tear gas. As to the law enforcing situation by the Police in Mong Kok, I could see from news clips on television that the Police formed a human chain to separate the protestors from the opponents of the occupation action. As the place was crammed with people, an outsider would not know what was actually happening there.

Recently I read a blog from the Internet. The writer was a police officer who was on duty at the Occupy Central assembly. I find some of the remarks in this blog rather meaningful. I quote, "I'm telling those spectators who are just watching television and not on the scene that I do not differentiate students from non-students. There are offenders and non-offenders only. Please do not make irresponsible remarks. What we can endure and shoulder is something that you people eating peanuts while watching television at home cannot understand and feel!" (unquote). As IPCC is conducting investigation into the handling of the Police at the Occupy Central assembly, I consider that we should wait until the IPCC report is completed before jumping to a conclusion on how the Police handled the case. Otherwise, it is unfair to the police officers.

Mr Gary FAN accused the Police for turning a blind eye to triad society, or even colluding with triad thugs. He has simply ignored the facts. Everyone can see that the Police are endeavouring to fight triad society. Now, the Police are accused of colluding with the triad thugs. It is definitely an insult to the Police's professionalism and the efforts they have made. Recently, I have read an essay written by Mr Gary FAN on the Internet. I wish to quote a few words in that essay, "Occupy Central allows Hong Kong people to see the dreadful side of a totalitarian government. Overnight, the Hong Kong Police have returned to the 60s', loaded guns with live ammunitions may aim at the people at any time." After reading Mr FAN's essay, I finally understand why he was trying so hard to smear the Police. In fact, he was trying to smear the CY LEUNG Government. Frankly speaking, if the current CY LEUNG Government were a totalitarian government, the protestors outside would have been cleared by force a long time ago. How can they be so relaxed as if they were attending a carnival by drinking tea, chatting, playing mahjong, ping-pong, having barbeque and hot pots? To some people, the ultimate goal of the occupation actions is actually

seeing the stepping-down of CY LEUNG and staging a colour revolution in Hong Kong, which is something Hong Kong people should never allow.

President, I so submit.

MRS REGINA IP (in Cantonese): President, I think the keynote speech given by Mr Alan LEONG yesterday when moving this motion can really hit the nail on the head. I must give him my commendation. He said that we must realize the cause and the result. Actually, as a reporter from the British Broadcasting Corporation Television has also asked me, why has Hong Kong been plunged into such a situation? In my view, the "cause" is honestly very important.

As everybody knows, the "cause" of the political turmoil today is the fast approaching Chief Executive Election. The Police have the duty to enforce the law and safeguard Hong Kong's prosperity and stability, and this is precisely the one factor that has dragged them into this political turmoil. If the Police do not enforce the law, people will criticize them for their feebleness; if they take stern enforcement actions to restore law and order, they will be criticized for being violent. Whatever they do, they will always come under attack. I hope the Members present here can understand that the "cause" of this turmoil is politics, a struggle for political power. It is my hope that Members can stop making police officers their convenient targets.

Let me return to the "cause". Yesterday, I heard Mr Frederick FUNG ask one question in his speech: who can ask such large numbers of people to take to the streets? I think one of the main reasons is that over the past one or two years, people have heard many slogan-like talks, such as "genuine universal suffrage", "no screening" and "the Central Government has broken its promise", which lead them to think that our society is full of unjust happenings. I believe many people have taken to the streets voluntarily, because they think that Hong Kong is full of problems and unjust happenings. They thus think that the political system must be changed before the problems can be solved.

I believe the overwhelming majority of the public are peaceful, and I have no doubt about their motives. But, I want to discuss a point with Members here. Is the system given to us under the Basic Law for selecting the Chief Executive really based on bogus universal suffrage? Are the electoral systems of democratic countries all without any screening? What is "universal suffrage"?

"Universal suffrage" means "universal and equal right to vote". It means everybody's vote carries the same value, and everybody has the right to vote. Besides, the electoral process must be fair, open and transparent. In all these respects, Hong Kong has already made it, whether we are talking about District Council elections or Legislative Council elections. And, I even believe that if we are fortunate enough to have universal suffrage for selecting the Chief Executive, we will likewise make it.

As for whether the right of nomination must likewise be universal, the answer is absolutely no. Let us look at some western democracies which may be admired greatly by many Members present here, such as the United States. The constitution of the United States provides that only natural born Americans ― United States citizens born in the United States ― can stand for presidential elections. Immigrants to the United States cannot do so. Will you condemn this provision as a form of unreasonable screening? In other words, the American constitution is literally saying that to the Americans, only American-born people are trustworthy and immigrants to the United States are not. This is a political requirement. Is it unreasonable? Every country and place must draw up their own requirements.

Is civil nomination an international standard? Many Members present here are academics or lawyers. If they are prepared to tell people the truth, they will have to admit that civil nomination is not an international standard as such.

President, I have here a full list of countries with civil nomination. Only five or six democratic countries are practising civil nomination. Most countries with civil nomination are under the rule of what many colleagues from the pan-democratic camp refer to as autocratic regimes, such as Russia, Angola, Kazakhstan and Guinea-Bissau. Civil nomination is simply not an international standard as such. Political scientists also agree unanimously that there is not any "one size fits all", or universally applicable, democratic electoral system for the whole world. The democratic institutions in all places are necessarily the product of evolution over time. Therefore, it is totally misleading to keep propagating the belief that the kind of universal suffrage given to us by the Basic Law for selecting the Chief Executive is bogus, and that screening must be wrong. After all, can we find any places whose electoral systems are without any screening? Even in countries practising the party system, such as the United Kingdom and the United States, the two leading political parties will select a number of candidates in primary elections, and at the end of the day, only one or

two candidates will remain after screening. For these reasons, I think all the talks about "bogus universal suffrage" and "no screening" are actually aimed at misleading others and inducing innocent and zealous people to take to the streets in large numbers. I hope that Members, especially the many academics here, can explain all this to people more often.

Have Hong Kong people's human rights come under suppression? As Mr IP Kwok-him pointed out just now, Hong Kong people's human rights and liberties are actually very well-protected.

Speaking of freedom of expression, I also want to refer to Article 19 of the International Covenant on Civil and Political Rights (ICCPR). It is a well-known provision on freedom of expression. Some non-governmental organizations have organized themselves into the Article 19 Group for the purpose of safeguarding freedom of expression. Let us look at the contents of Article 19: "Everyone shall have the right to freedom of expression". But it is also pointed out that this right "carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary". What it means is that freedom of expression can be subjected to constraints imposed by the law "[f]or respect of the rights or reputations of others". The occupation of public space by Occupy Central protesters for so many days has come to obstruct vehicular traffic, cause huge financial losses and daily-life inconvenience to many people, and damage law and order. Why haven't those Members who are gravely concerned about the rule of law, human rights and the ICCPR condemned such behaviour? I believe the Police will definitely attach a great deal of importance to any assaults on members of the public by police officers, because these will tarnish the image and reputation of the Police. However, why haven't you condemned all those brazen law-breakers who forcibly reinforced road barricades with cement and laid drain covers to block the roads which had been re-opened? Do all the lawyers here still have a conscience anyway? Have all the academics here studied any politics at all? I think I should clearly reveal your bias to the community.

I also want to talk about whether the decision of the Standing Committee of the National People's Congress (NPCSC) will really "shut the door" on people with dissident political views and bar them from being nominated. I think Members need not draw any conclusion too early, as the second round of consultation has not commenced. We still have many detailed arrangements to

make, and the work of enacting legislation is still waiting for us. As certain Central Government officials have said and pointed out, the Basic Law actually entrusts the Hong Kong Legislative Council with very great responsibilities and powers to enact local legislation for the purpose of realizing the selection of the Chief Executive by universal suffrage.

I wonder if the Members present here have ever read the NPCSC decision on 31 August and the relevant explanation at all carefully. The explanation is as long as some 10 pages, and one of the paragraphs states that both the membership size of the nominating committee (NC) and the respective proportions of the four sectors will remain unchanged. As for each sector … We know that the existing 1 200 NC members will come from 38 subsectors. But how about the number of subsectors in each sector? Which organizations can nominate candidates to the NC? And, how many nominations can they make? There is even the issue of how NC members are going to cast their votes. Is each NC member going to have one vote, two votes or three votes? All such detailed arrangements will be discussed by the Legislative Council in the future and decided on by way of local legislation.

Some experts have also told me that as the NPCSC has decided that there will be two or three candidates and each candidate must have the endorsement of more than half of the NC members, each NC member will at least have two or three votes. If each NC member is to have two or three votes, then we simply cannot rule out the possibility that some moderates with dissident political views may well be nominated as candidates if their electioneering is successful and they really try hard to canvass votes. The reason is that nominations will be made on an anonymous basis.

To sum up, I note that those individuals or political parties intending to run for the office of the Chief Executive actually want to fight for their participation in the Chief Executive Election and avoid their exclusion, but if they simply do nothing, do not let the Government commence the second round of consultation, refuse to participate in the required work, and only take part in street protests, how can they possibly achieve their own objective? By giving encouragement to protesters in the streets and voicing support for them incessantly, they will in effect delay Hong Kong's progress of democratization and strip us of the opportunity to select the Chief Executive by universal suffrage in the future.

I really want to make an appeal to Members belonging to different political parties and groupings. In case any of their party members support the protesters, they must advise them that their three weeks of protests have already caused severe damage to the Hong Kong economy and people's livelihood, and the protests must end as soon as possible, so that we can return as early as possible to sensible consultation and other specific tasks such as the enactment of legislation, and in turn select the Chief Executive by universal suffrage in 2017.

In the following part of my speech, I must speak on the allegations against the Police again. I have already spoken a lot on the battery incident over these two days, so I do not think I need to repeat my arguments. I still believe that the Police are definitely very concerned about any unlawful acts and will certainly handle the matter seriously through various channels.

As for the use of pepper spray or tear gas, I notice that in their letter to the *South China Morning Post* the day before yesterday, several doctors pointed out the permanent damage that might be caused by tear bombs. On this issue, I have done a lot of research and browsed through many analyses on the Internet. I have thus discovered two analyses of the highest authority. One of them was published in *The Journal of the Royal College of Medicine* back in April 2003; and the other was published more recently by a group of doctors in *The Scientific World Journal: Volume 2014*. The latter study covered 93 cases involving the use of tear gas in various countries and places all over the world such as New York and Colorado in the United States, South Korea and Turkey, and it examined the long-term health implications caused by tear gas.

I have read this latest report. This group of doctors reviewed some 90 cases, one of which involved the intensive use of tear gas on 34 adults in the enclosed space of a coach. Their conclusion is that the harmful effects of tear gas on the human body depend on whether there is any prolonged, multiple or direct exposure to tear gas. Their conclusion reads, "Additional efforts are necessary for searching the hazardous effects of tear gases to be able to forbid the use of tear gases as for controlling the protest actions." What it means, in other words, is that no concrete and conclusive medical evidence is available to form the basis of requesting police forces all over the world to stop using pepper spray or tear gas as a tool for crowd control.

Certainly, we do not want to see frequent occurrence of such scenes. The ideal situation must be the maintenance of social order without any reliance on

the application of force. However, I must say that when such scenes do arise, we must give police officers the leeway to exercise their lawful power, or else people's lives and properties will lose protection.

I also want to raise one point. Some people from the pan-democratic camp have repeatedly emphasized that protesters are peaceful, saying that they raise both their hands as a show of peacefulness. But I must point out that the kind of peacefulness they show may be deceptive, because some police officers have said that they have been kicked by protesters. When entering or leaving the Legislative Council, I myself, together with many colleagues from the pro-establishment camp, have also come across protesters who claim to be peaceful. Sometimes, they are very violent, in the sense that they use a lot of abusive language. From their words and deeds, we can see that some of them are actually very violent in language. Their manners and acts are not in line with the democratic values of mutual tolerance and mutual respect.

President, I so submit.

DR KENNETH CHAN (in Cantonese): President, first, I would like to pay respect to the reporters of the news department of the Television Broadcasts Limited because their efforts enable more Hong Kong people to see that protesters are faced with extrajudicial punishment and physical assaults imposed by police officers. On this issue, as of today, the Security Bureau has offered no clear explanation. The police officers involved have only been transferred from their positions. They have not been immediately suspended from duties for investigation. One day before the incident, we heard that the Police were playing it straight but in the early hours of yesterday, we saw that a protester, with his hands tied with plastic straps to his back by the police officers, was taken to a dark corner of Tamar Park and brutally tortured. What kind of a world is this?

President, Mr IP Kwok-him just eloquently quoted an online article by a police officer to point out that those not at the scene were only watching television and eating peanuts, and therefore they should refrain from making irresponsible remarks. Actually, is Mr IP Kwok-him also a Member of the Legislative Council who has based his judgment on television scenes alone? President, I was at the scene because I had taken part in the peaceful Occupy Central movement. I might have arrived at the scene earlier than many

colleagues as I began to stay in the civic square on Friday night after the protesters stormed into it. That night, I not only experienced what happened but also tried to reconcile the clashes between the Police and the protesters. Thus, I will give an account of my personal experience based on the provocations I had witnessed. However, those provocations were not triggered by the protesters who stayed within the areas of the Legislative Council and Tim Mei Avenue. They only cheered on the students who were inside the civic square, hoping that they would be cared for.

I was at the scene liaising with the police officers of the Police Public Relations Bureau (PPRB). I expressed that I had with me doctors and nurses and wished that we could enter the civic square to check on the protesters who had been pepper-sprayed or claimed to have been injured to see if they had received appropriate and timely treatment. I guaranteed I would only bring with me one doctor and one nurse into the civic square to visit the protesters, so as to understand if there were adequate medical personnel or medical facilities to help them ease the bodily injuries inflicted by the pepper sprays or other confrontations. However, my request was turned down. Subsequently, I again tried to liaise with the officers of the PPRB but they had disappeared, and were nowhere to be found. They said that their seniors did not approve my request. Would this move make the protesters who were outside the civic square more agitated and anxious, cause more conflicts and become the last straw leading to more clashes? The answer is of course in the affirmative.

The police officers then locked up the gate of the civic square and formed a human wall. On this side outside the car park of the Legislative Council and within the Legislative Council, protesters were staging a sit-in to cheer on. During the whole process, the situation was tense because they were surrounded by police officers on both sides. Despite this, they remained in what we refer to as the children's gallery and outside the Legislative Council car park to guard the protesters. I was at the scene for the whole night. This is the episode which I think I should tell the public categorically. At that point, a police officer who was originally behind the gate of the civic square standing guard within the area of the Central Government Offices suddenly charged into the crowd from the CITIC Tower during the small hours and opened the way by using pepper spray. Of course, the protesters only resorted to umbrellas and water. This police officer was alone when he came charging, and he was also injured. At that time, the protesters were very angry and agitated and I was caught in the middle. On the one hand, I advised the protesters to stay calm, and on the other hand, I called

on the police commander in the civic square to decide quickly to open the gate for this police officer. Then, I asked them why the police officer who was originally staying in the civic square responsible for maintaining the cordon line suddenly charged into the crowd from the CITIC Tower with several other police officers who were using pepper spray. Who in fact started the provocation? Why did they do so?

In the small hours of that day, the Police entered by way of the Legislative Council and cleared the site. They used the area outside the Legislative Council to orchestrate their defence and set up their base. They used pepper spray on those protesters who were staging a sit-in within the area of the Legislative Council and drove them out to Tim Mei Avenue. I was among those being driven out. During the pushing and shoving, we were insulted and manhandled. On television, I saw with my eyes that a female protester fell to the ground and was dragged along by police officers. After we had been driven out, the protesters in the children's gallery were the next to be cleared. The police officers used shields and batons and rebuked the protesters. They kept escorting the protesters away from the area of the Legislative Council in single file. Then, the Police began to orchestrate their defence. They sealed the entrances to the Legislative Council on both sides with mill barriers.

The next day, when the Occupy Central organizers announced the launching of the movement, I tried to enter the Legislative Council from Harcourt Road but was prevented by the police officers. I was given no reason though. I said I had to go into the Legislative Council, where I worked, and there were people I had to meet; moreover, I had to attend meetings to discuss matters. However, I was rejected. I said I had to get into the Legislative Council through that passage, and I must uprightly make my way to the Legislative Council and Tim Mei Avenue. Immediately, four police officers lined up in front of me, and a superintendent already came up to me. He pointed his finger at me and asked me not to charge at the police cordon line. Is it easy to charge at the police cordon line? Has it been stated in the law-enforcement guidelines of the Police? He said, "If you charge again, I will arrest you." Honourable Members, I was without umbrellas or goggles, and I did not have cling wrap either. I said I was a Member of the Legislative Council and I had to go back to the Legislative Council to work. Is there a problem? The police officer said, "You have no meeting to attend today, therefore, you cannot go in." I asked, "Why? I have no meeting to attend today? How do you know?"

The work of Members of the Legislative Council is more than a nine-to-five job, and not as simple. To many of our colleagues who already have a job and a good family, being a Member of the Legislative Council is itself a commitment, and regardless of whether we belong to the pro-establishment or democratic camp, this is what we often say. Therefore, that day, I decided I would not sit in front of the television and be a "peanut buddy" as Mr IP Kwok-him was. I went to the scene instead. So, I had experienced closely and personally the whole process when pepper spray or tear bombs were fired. I have never earnestly told everyone in front of the television how fervently I protested. In fact, we were all very anxious and sad during the entire process. We were extremely worried about the personal safety of the ballooning crowd at Harcourt Road. I was in the area between Tim Mei Avenue and Harcourt Road behind the police cordon line. I kept crying to make way and called for proper crowd control. I was also appealing to all the protesters to hold firmly to our spirit and idea of peaceful protest, and we managed to do that.

Did the 80-odd tear gas canisters pose no health threat to the human body? Would it be like what the Secretary for Security said yesterday in his reply to Members that in general, the tear gas only inflicted brief discomfort on those who charged? He did not give the full picture. Four doctors, including Professor Ronnie POON Tung-ping, have explained in the readers' comments section of the *South China Morning Post*, but the Security Bureau has failed to do a good job for the Secretary. Therefore, Mrs Regina IP has to supplement for him to make up. Nonetheless, regardless of whether a person is a police officer or a protester, once pepper spray comes out, everyone will breathe in and everyone's skin will be scorched. Among them, how many have a history of chronic disease? How many are suffering from lung dysfunction? As for those who have been scorched or felt the heat after inhaling the pepper spray or tear gas, upon seeking consultation at the hospital, have they undergone more scientific and comprehensive medical observation and investigation?

Please do not say again that British and American countries do the same, or everywhere is doing that. Some Members even say that other countries may have mobilized troopers and rangers. In these 10-odd days, the Hong Kong people have not attacked any businesses in the occupied sites. The protesters have not damaged one piece of glass, and we have not seen the burning of vehicles or arson. On the contrary, yesterday, a person set fire in Mong Kok using ghost money, and that was not the first such instance. I have watched a recorded footage which showed a nursing personnel from a nursing station

reminding a female holding joss paper tried to enter the occupied area in Mong Kok. The nursing personnel asked why she went there with the smouldering paper and requested that she should douse it before she entered. So, her attempt was thwarted on that occasion. Please therefore do not say again the use of some tear gas and pepper spray will not create much impact on the people.

All along, this has in fact been a political problem. Therefore, as a participant, I have no hatred or grudges towards the Police. Nor is there any element of pity or forgiving. We are all caught in this bird-cage politics, and we do what we think we should for Hong Kong. Strictly speaking, we are all under the influence of this autocratic political environment. In order to seek a desirable space and a proper idea for ruling Hong Kong, we have to strive for genuine universal suffrage, and continue to refute some false reasoning. President, even Mrs Regina IP has presented heaps of false reasoning. She has only read one or two more books on democracy but she is always pedantic. Sorry, she has misquoted. Regarding methodology, she cited some examples of civil nomination saying that those were just some dictatorial countries. She has not read another article of mine which was published in *Ming Pao* a long time ago in which I discussed civil nomination. In that article, I mentioned the civil nomination system of Taiwan, Austria, Finland, Poland and Czechoslovakia.

How can one present such false reasoning? The civil nomination system which we are pursuing in fact has been put forward in a report on political reform by the democratic Members as early as 2007, and in the last election, Jasper TSANG, President of the Legislative Council who was then a candidate, had also discussed the matter with me at a forum at Chater Garden. Is there no middle-of-the-road option? Actually, there is. Many moderate academics have suggested to reform the formation of the Election Committee or the Nominating Committee, but they have also expressed rage when they saw the NPC "shut the door". As such, they sided with the party advocating Occupy Central. Thus, while discussing police power, we should not lose our focus, which is the long-time blocking of our political system, rendering it impossible to solve the deep-rooted conflicts. You should not again smear the peaceful protesters because this is by no means a colour revolution. This is a defence battle for Hong Kong, for freedom and for a place we cherish.

These are my remarks.

MR SIN CHUNG-KAI (in Cantonese): First, as what "Brother Kenneth" has done, I would like to pay my respect to the front-line journalists of TVB, including the reporters and cameramen who have been faithful in carrying out their duties. Although TVB has been criticized for being slipshod, its front-line reporters and cameramen are not. They have been working seriously.

President, earlier, or in these few days, the Police have always been advising against people breaking through their cordon line, or else they will take actions. Actually, during the entire planning or deliberation process of Occupy Central, no one had predicted that it would have come to this stage. In the beginning, deliberation day one, two and later three were held for Occupy Central …

(Mr Albert CHAN stood up)

PRESIDENT (in Cantonese): Mr SIN, please wait. Mr Albert CHAN, what is your point?

MR ALBERT CHAN (in Cantonese): President, under the present political situation, it would be better for more people to pay attention to current affairs. President, under rule 17(2) of the Rules of Procedure, please do a headcount.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr SIN Chung-kai, please continue with your speech.

MR SIN CHUNG-KAI (in Cantonese): Thank you, Mr Albert CHAN, for asking for the ringing of the quorum bell on my behalf.

Let me go back to the entire process of Occupy Central which I was just mentioning, as well as the Police's advice against breaking the cordon line. Throughout the entire Occupy Central movement, that is, during the process when the Occupy Central Trio made preparation for deliberation day one, two and three, participants had been asked to sign the so-called Occupy Central undertaking at different times to show that they would occupy Central with peace and love in the form of civil disobedience, and would not resist when they encountered police action.

After these deliberation days, as far as I understand, less than 3 000 had signed the undertaking. Let me emphasize: less than 3 000. Then, in the small hours of 28 September, when Benny TAI, one of the Occupy Central Trio, announced the launching of Occupy Central outside the Central Government Offices, more and more people joined gradually. However, some students left on that morning as earlier, it was a student movement, not Occupy Central. Of course, people joined and left during the time.

Why has Occupy Central come to this point? According to the original script, they should not be occupying Harcourt Road; this has never been part of the plan. Although I am not a core member of the plan, based on my understanding, this is because the original plan has been disrupted by the Government's deployment. In the first place, it was planned that a march from Victoria Park to Chater Road would be held on 1 October, to be followed by a sit-in rally. However, the Police ― or perhaps the Government ― only approved the holding of the march on 2 October and not on 1 October. Then, the venue for the rally was also not available.

Over the past two years, Hong Kong has seen two major mass movements. The first one, which took place in 2012, was pertaining to the issue of national education, and the second one was related to the licensing for HKTV. In those two mass movements, the participants did not rush onto the major roads. Most of them stayed in the civic square and the lawn of Tamar Park, holding their rally in a peaceful way.

However, this time, the Police had to hold fast to the defence line. I think the front-line officers had received order from the senior officers to that effect, and therefore they defended several locations, including Harcourt Road, that is, the entrances to KFC and McDonald's, to stop the ralliers from dashing out and not allowing people to cross the road. The Police had erected layers of mills barriers on either side of Tim Mei Avenue and Tim Wa Avenue, prohibiting anyone from entering the civic square and the vicinity. What consequences did this move result in?

At around 3 pm, some people began to force their way out to Harcourt Road — as instructed by the Police, they did not break through the defence line of the Police — and tried to get into the peripheral area of the civic square. Later, as more and more people flocked to the area around Admiralty, people inside a number of MTR stations could not get to the surface and the Admiralty station almost had to be closed. As a result, some got off at the Central station and walked to Harcourt Road, while some got off at the Wan Chai station and walked to Admiralty. Afterwards, since it was learned from news and online information that people could not get off at Admiralty station and Wan Chai station was also packed, some people made their way to Causeway Bay and began to occupy Causeway Bay. As the situation evolved, what was the outcome? It ended with the firing of tear bombs by the Police, sending hordes of people to the streets. Since there were so many people, they could not go to Causeway Bay and turned to Mong Kok instead, thus starting the occupation movement in Mong Kok.

Have the Police considered that because they had to hold fast to their defence line, and people were advised not to charge at their defence line, the entire Occupy Central became … Now, it is not Occupy Central because Central has not been occupied; if Admiralty is regarded as a part of Central, it can also be said to be Occupy Central, but at the moment, it is more of Occupy Admiralty than Occupy Central. Although Central is also affected, it has not turned out to be the major venue.

Some front-line police officers have posted online messages criticizing the senior police officers for refusing to allow the occupiers to go into the vicinity of civic square. Had they had been allowed, Harcourt Road would not have been overwhelmed.

Thus, the Police should think it over. Has the deployment of the "Solarpeak" incited participation by the citizens, or has it foiled their participation? In the beginning, the Police had hoped that by prohibiting the participants of the movement from entering civic square and its vicinity, the occupiers could have been isolated and the occupation movement foiled, but on the contrary, it has now backfired. President, this is the flaw of the entire deployment by the Police.

Actually, when Occupy Central was planned, those who were involved in the planning had not thought that the whole movement would have come to the present situation. Perhaps they had not expected that some people who had not attended the three deliberation days would join this movement on their own initiative. As I am aware, two or three days after the launching of the movement, some academics from the Polytechnic University conducted a questionnaire in the square. I think the Police should make reference to the survey findings in order to understand why people take part in this movement. Many of the participants come out not in response to the appeal by the organizations but have just acted spontaneously.

As regards the dissemination of false information, the pro-establishment camp has accused us of that for spooking the participants and spurring them to come out. Let me tell you from another perspective. Just as Kenneth said, I was also at the square on 28 September. Since too many people had gathered there, the network capacity was not enough to support, thus, messages were very often missed. Some sources said the Liberation Army was operating in certain areas, or rubber bullets might be fired. To those people in the square, such news might have been released to scare them away.

In fact, around 3 am and 4 am on 29 September, HKFS appealed on Facebook asking the people to leave for fear of a firing incident. However, those in the square refused to go, and because the Police had fired 87 tear gas canisters, they did not know how to leave. When the Police fired the first tear gas canister, we were of course very frightened as we had never seen it. Even if we have, it is only from a distance on television, rather than experiencing it on the spot. That said, after experiencing the first tear gas canister, we covered our faces and eyes with towels and were no longer afraid.

Then, it was as if the Police were playing hide-and-seek with the people. After the firing of a tear gas canister, the crowd retreated for 20 m but returned to

the same place when the smoke was gone. The Police again fired a tear gas canister, and the crowd again retreated for 20 m but also returned to the same place afterwards. When the Police fired tear gas canisters on the east, the crowd ran to the west, and *vice versa*. The crowd even learned to counter-besiege the Police. When the Police attacked in the front, they would surround on the back, with 4 000 protesters surrounding 200 or 300 police officers. Therefore, regarding false information on the firing of rubber bullets, the pro-establishment camp accused us of instigating the crowd, but we saw the firing of tear bombs as a bid to scare people away.

Coming to cause and effect, I would like to counter Mrs Regina IP. In English, we have the so-called "free elections", which in simple term refer to elections that are conducted freely. For an election with selection whereby a 1 200-strong committee is to select the candidates, it is tantamount to an election of the Communist Party on the Mainland. There are also elections on the Mainland with all candidates nominated by the Communist Party. They had single-candidate election in the past, and now multi-candidate election has been introduced, but nomination still rests with the Communist Party before the people can select. China now wants to bring this kind of election to Hong Kong. The only difference is that instead of having the nominations made by the Communist Party, in Hong Kong, nominations come from the entire committee. Do Hong Kong people see this as free election? As to whether civil nomination meets international standard, I do not intend to discuss in detail from this angle. On the contrary, do the "three heavy doors" meet international standard? Surely not. With these "three heavy doors" or "steel doors", I wish Mrs Regina IP could explain how it can be regarded as a free election.

The occupation action has two crucial and clear demands. First, it asks for LEUNG Chun-ying to step down. This is crystal clear. There are many reasons for this demand, including the granting of licences to the television stations, his declaration of personal interests, the presence of illegal structures, as well as the latest UGL saga, the acceptance of benefits by DTZ in Japan, and the hidden interests of Wintrack. I believe there will be many occasions in the next few weeks for the Legislative Council to hold debates on these. Nonetheless, apart from the stepping down of LEUNG Chun-ying, the other demand also touches on the core issue, that is, it is hoped that the NPC will withdraw its decision and reactivate political reform.

Regarding the role of Beijing in this incident, there are numerous rumours, but in general, they can be summarized as: "no bloodshed, no compromise". We are well aware that Beijing is very much "hands-on", clearly mastering the details of each step. I do not know if the whole incident is manipulated by LEUNG Chun-ying or ZHANG Xiaoming. We can see that WANG Yang and other senior officials of the Central Authorities are beginning to label this incident as a colour revolution, a turmoil. Since it is a revolution, a turmoil, it will be subject to reprisal. How? I believe to those who have stayed in the square taking part in this movement, many do not know what reprisals the Government will make. But if this time the Government is going to make reprisal, it will be targeting a generation rather than a few persons, since a generation has taken part in this movement.

From the class boycott which began on 22 September to the subsequent rallying in the square, the students form the key mainstream. Although tertiary students make up the bulk, among them are also a lot of secondary students. This group of people cling to their ideal and are the future pillars of Hong Kong. I want to ask Beijing or LEUNG Chun-ying: How are they going to make reprisal? How are they to sooth this present wound of Hong Kong? The biggest drawback of this whole movement is that it has torn up society. Without the implementation of genuine universal suffrage, I believe the serious trauma Hong Kong is suffering now can hardly be soothed.

I so submit.

MR CHAN HAK-KAN (in Cantonese): President, in the recent two to three weeks, no matter those in support or against Occupy Central, they are all heavy-hearted. However, an incident which is rather unpleasant to the Hong Kong people happened in the Hong Kong society did take place last Wednesday. A football match was arranged by the Hong Kong Football Association to celebrate its 100th anniversary. The World Cup runners-up, Argentina football team, was invited to come to Hong Kong for the match. That night, Hong Kong team lost by 0 to 7. I believe that not so many Members in this Chamber would be as supportive to the Hong Kong team as I was. But in fact, the score of 0 to 7 was truly embarrassing.

I received a short message from an Internet user this morning. According to him, on the issue of Occupy Central and anti-Occupy Central, Hong Kong has

actually lost by 0 to 7, which is very embarrassing. What has Hong Kong lost? He says: First, Hong Kong suffers from economic losses. Every day, our economy loses $7 billion. Second, we suffer from losses in people's livelihood. People and students going to work and to school need to spend 30 to 60 minutes more. Our society has lost, because there are social differentiation and social cleavage. The rule of law has also lost, because long-term illegal road occupation happens every day. Fifth, we lost in education, because our politics have infiltrated into primary and secondary schools. Sixth, our reputation has lost, because we see on television that Hong Kong is no longer a civilized and rational metropolis. Seventh, our future has lost, because we have ruined the constitutional relations between Hong Kong and the Central Authorities, and have also ruined the economic relations between Hong Kong and the Mainland. The above is what the Internet users say ― no matter you agree or not ― this is how they feel.

President, if you ask me to give a conclusion to this Occupy Central, I will quote a few famous sentences from Confucianism, "Should names be incorrect, the language does not represent the truth; should the language represent not the truth, affairs cannot succeed. When affairs fail to succeed, proprieties and music will not flourish; when proprieties and music do not flourish, punishments will not be meted out fairly … the people will not know how to act properly." I believe that clear-minded members of the public will find that those few Occupy Central organizers, or the so-called Occupy Central Trio, have shown us from the start what is meant by "Should names be incorrect, the language does not represent the truth." It is because they have stated clearly that they would occupy Central. However, after seeing that the Central Government Offices had been occupied during a protest organized by the Hong Kong Federation of Students (HKFS), they immediately came out to take the advantage and said that they would occupy that part of "Central", Admiralty. Afterwards, you can notice that this movement has basically gone out of control, and turned into Occupy Causeway Bay, Occupy Mong Kok. After the Occupy Central Trio have made a mess of things, and when the community asked them to exercise some control and smooth things out, they immediately said that Occupy Central had nothing to do with them already and it was out of their control. If what they said was true, that would be very strange because we often see the Occupy Central Trio coming out on behalf of the protesters to raise different aspirations to the Government. I find the Occupy Central Trio absolutely shameless in fooling the public.

President, nearly three weeks have passed since Occupy Central broke out. We can see on television that some protesters are getting puzzled, and more members of the public begin to feel annoyed. Things happen as what I have said just now, "Should names be incorrect, the language does not represent the truth", and then "affairs cannot succeed", followed by chaotic situations. It has turned out that "when proprieties and music do not flourish, punishments will not be meted out fairly". At the end, "the people do not know how to move properly." The situation over the past two to three weeks has fully and vividly interpreted these words of Confucius.

I would like to point out one thing. As Mr SIN Chung-kai said earlier, since Occupy Central has been prepared for one year, many shop owners and those working in Central may have put in plans to deal with it. However, , the residents and shop owners in Causeway Bay, Tsim Sha Tsui and Mong Kok have never imagined that their entrances would be occupied. Hence, you can see on television that the business of the shops in places being occupied, such as Causeway Bay and Mong Kok, has failed. Of course, people from various walks of life are also affected to a certain extent. What have the Occupy Central Trio done? They just came out and said, "We are sorry." In fact, we should ask the Occupy Central Trio to pay for the losses incurred to all people in Hong Kong.

President, I have to emphasize that we need to direct our attention to the Occupy Central organizers who started the action, instead of the peaceful and rational participants, particularly not to the students. On the contrary, we have to care for the students more because we notice that there have been many different clashes in various places of the assemblies. And we also see that the Police have seized weapons such as stones and iron rods, not only those verified by the Police, but also those mentioned by Ms Cyd HO in her speech earlier on. Hence, we are very worried about the personal safety of the students who continue to stay in the places of assembly. Although Occupy Central with Love and Peace was not peaceful from the very beginning, I still hope that this belief can last till the end. I do not want to see any bloodshed from anyone. All rioters, no matter which camp they come from, have to be subdued. If someone has broken the law, the Police have to treat everyone equally, and enforce the law impartially with their professional judgment.

We notice that since the start of Occupy Central, police officers have already been caught in the middle of the dispute. Facing the long-lasting

Occupy Central, many police officers have to stay on duty day and night for many days. I know that many police officers in Northern New Territories have to travel a long way for their work shifts in Central. Therefore, we see that during this eventful period, the Police are still putting in efforts to maintain their daily services for public order of various districts to remain the same level prior to Occupy Central. I find that this deserves our praise.

However, I notice that as Occupy Central drags on, public grievances over road blockage have already accumulated to a critical point. I can also predict that clashes and chaotic scenes like the Lung Wo Road incident will emerge one after another.

In regard to the video clip shot by a television crew in which a few police officers were suspected to have brought a subdued protester to a corner and then some people, suspicious to be police officers, treated him with violence, there are many comments on this from the community. Of course, some people say that it was the arrested person who splashed some liquid to the police officers first. However, no matter what he has done, he should not be treated with violence.

I mention this incident not because I want to comment on the details of the case. Instead, I want to bring out a viewpoint from this case. I would like the Government, particularly the Under Secretary, to think about it after this discussion: Under the work pressure for a long period of time and facing substantial political pressure, have the front-line police officers been stressed beyond limit? Have they already been stressed to the critical point that I just said? During this emergency period, have the Police provided some manpower and resources support to the front-line police officers? This is what I want the Government to pay special attention to.

President, in these few days, I can see many banners with slogans made by protesters downstairs. Many people say that retreat is tantamount to losing the campaign, and continued occupation is tantamount to winning the campaign. However, I think this is not a "either win or lose" situation, nor is it a zero-sum game. When our passion has gradually subsided, our rationality will come into play. We will find a wide space between "losing" and "winning". Nonetheless, if we only continue to intensify the contradictions, the loser will only be the entire Hong Kong. Not only will we lose by 0 to 7, but even 0 to 70.

Finally, I would like to point out, or you may have noticed, that a referendum has just taken place in Scotland earlier. A reporter from a foreign television station interviewed a pair of best friends living in Scotland. One of them supports independence while the other is against it. However, both of them said that no matter what the result of the referendum was, their friendship would not change. It is covered in the news that Occupy Central is sowing discord among many families and friends, by which I am very much saddened. No matter you are for or against Occupy Central, it is not worth losing your kinship and friendship.

President, many students downstairs have not returned home for a very long time and have not met their family members and friends for a very long time. Democracy is what we have to fight for. However, a person's life consists of not only democracy and politics but also family members, friends, teachers and studies, as well as living and future. If the students love Hong Kong, they should first love the people around them. If you love the people around you, you should first treasure yourself. I hope that students can resolve this incident peacefully, and go back school and their families, so that the community can be back to normal as soon as possible.

President, I so submit.

MR GARY FAN (in Cantonese): President, over the last 30 years, in the development of democratic movements in Hong Kong, we have experienced the 1989 Democracy Movement. After the march on 1 July 2003, Hong Kong's democratic movement has attained to a new level in the recent two weeks. Tens of thousands of Hong Kong people voluntarily took to the street. In the form of peaceful occupation and with the courage of climbing over high walls fearlessly, they are undergoing a civic awakening movement which has aroused international attention. They have clearly expressed to the Government of the Special Administrative Region (SAR) and the Beijing authorities the aspiration of Hong Kong people for genuine universal suffrage.

On 26 September, in order to resume the Civic Square, students participating in the class boycott climbed over the three-metres fence with bare hands and then sat in a circle on the Square. As its name implies, the Civic Square should be a public space open to all Hong Kong people. However, how were the students in the peaceful sit-in protest being treated there? They were

being heavily circled by police officers. Even their basic human needs such as eating and going to washroom were one by one rejected by the Police. A female student was even forced to hide inside the umbrellas in order to empty the bladder, while the male police officers were unwilling to accept the basic request of turning their faces away. The students were not respected at all. Since the students suffered from various kinds of humiliation, there are reasons for so many Hong Kong people coming out to support them. That night, the Government even heartlessly deployed Anti-riot Squads to disperse a group of defenceless citizens and students outside the Civic Square. Tension was escalating, and in turn motivated more righteous Hong Kong people to take to the street.

On 28 September, the Police saw that a growing number of people gathered outside the Central Government Offices and the Legislative Council Complex with an attempt to join the rally and support the students. Hence the Police further cordoned off the area of the Central Government Offices to block the entrance of those who wanted to protect the students but the Police suffered from what they had done. A large number of people were forced to walk onto Harcourt Road and occupied the traffic lanes. All Hong Kong people will not forget what happened afterwards, and neither will I. The Police displayed to the protesters a warning sign on which "Disperse or we fire" was written, and immediately tear gas canisters were hurled to the defenceless crowds, the students in a peaceful assembly, and even the medical team comprising voluntary workers. As far as I know, even the headquarters of the Hong Kong Red Cross had also been hit. In 2005, when dealing with the Korean peasants who had undergone military training, the Police used only 30-odd tear gas canisters. For this time, however, when faced with some ordinary people like me who were not physically tough, the Police used 87 tear gas canisters. What kind of professional criteria is that?

Subsequently, on 3 October, the SAR Government and the Police even turned a blind eye to a large number of triad members and ruffians from "Love Hong Kong faction" who provoked the protesters in different areas under occupation, used violence on the peaceful protesters and indecently assaulted some ladies participating in the peaceful assembly. Since protesters flared up, police officers arrested some anti-occupiers on the spot. However, the police officers released them in no time at the end of the street, and sent them away in a taxi. Nevertheless, to the Occupy Central participants, the Police showed no mercy but used police batons and sprayed Oleoresin Capsicum (OC) foam to them. If this is not double standard in law enforcement, what can it be? Only

those who lie with his eyes open will not acknowledge the detestable fact happening in front of us.

The night before the last or the early morning on 15 October, Anti-riot Squads and Anti Triad Squads were called in again. In the video clip of the Television Broadcasts Limited and other electronic media, some police officers brought a protester, who had both hands bound by chordae, to a dark corner in Tamar Park. The protester was then repeatedly punched and kicked for a full 40 minutes ― four minutes. You can go on laughing, Mr NG Leung-sing ― No matter what the protester had done beforehand or whether it was against the law, the police officers were definitely imposing extrajudicial punishment and this is overuse of force. This is not "the proper level of force" or "minimum force" said by the management of the Police Force. Neither is it open and candid as remarked by "four o'clock Mr HUI". Are these the acts of a true man? These are the acts of a coward. What kind of hero is that?

After the police officers had beaten up the protester, what have the seniors of the Police Force done? After using the tear gas canisters on 28 September, Mr Andy TSANG, head of the Police Force ― did not came out to speak. He has all along been hiding ― said in a short video widely circulated in the Internet, "You have not done anything wrong." If a leader of an organization has to shoulder the responsibility, he should not use the inappropriate words as such. If he has to shoulder the responsibility, he should say, "We have not done anything wrong" instead of "You have not done anything wrong". In a way, he is shirking his responsibility and passing it to the front-line police officers. What has our Chief Executive done? After the front-line police officers were betrayed by the "Police Chief Mr TSANG", our Chief Executive then betrayed the entire Police Force. He was not willing to be questioned by the mass media. He only accepted to be interviewed in a TVB programme "On the Record". He said that the use of tear gas canisters was the decision made by the field commanders or the front-line commanders. But he participated in the decision of terminating the use of tear gas canisters. What an instant Karma it is: the "Police Chief Mr TSANG" betrayed the Police Force and betrayed the front-line police officers, and then the Chief Executive passed the responsibility onto the entire Police Force.

President, I walk past this umbrella square in the occupied area at Admiralty every day. I once saw a paper note on the wall written by a student. What was written on it? "In the past, when my mother asked me where I was, I

would say: I am safe, as there are police officers around. Now, I dare not tell her that there are police officers in the vicinity." That means when there are police officers around, there may be chances that it is not safe. When performing the duties, police officers are also exercising public power. This kind of public power is vested in them by every citizen in society. If the police officers fail to uphold justice, do not abide by the police regulations, turn a blind eye to the triads and even co-operate with the triads, or use their force excessively when they perform their duties, the credibility of this kind of public power will be lost. In future, it will be difficult for the Police to perform their duties due to the breakdown of their credibility. The triad societies will become unrestrained due to co-operation between the Police and triad members. This is not what the SAR Government can bear at all.

President, since 26 September, every step taken by the SAR Government towards the Hong Kong people in peaceful assembly was a blunder. It seems that the SAR Government, and even the Beijing authorities, do not learn from history. They still employ the same approach as that adopted in response to the 1989 Democracy Movement. They tried to use power politics and violence to overpower everything so as to silence the people. During the past few years, nativism in Hong Kong, which has long been a worry of the Beijing Government, is forced out by this unyielding and strong attitude in politics. The people should not be blamed for the rise of this consciousness.

This occupy movement is a kind of civil disobedience of a magnificent scale in the history of Hong Kong. Under the threat of OC foam, tear gas canisters and police batons, and with no fear for the triad societies, Hong Kong people continue to stay in various occupied areas, asking Mr LEUNG Chun-ying to step down and fighting for genuine universal suffrage. Therefore, the one who can really stop this movement is not the Hong Kong Federation of Students, the Scholarism or the Occupy Central Trio, but the Chief Executive or even the entire SAR Government. However, it is disappointing that no matter in dealing with the scandal of unauthorized building structures, the issuance of free television licence or even the scandal of secretly accepting a large sum from an Australian company, he has time and again placing personal interests above public interests. He has been maintaining his own power and status by such an administrative approach of intensifying social contradictions and causing social cleavage. Mr Andy TSANG, our Commissioner of Police, is his hatchet man, for politicizing the whole Police Force.

The Hong Kong people have reasons to believe that the approach adopted by Mr LEUNG Chun-ying in dealing with Occupy Central is to trigger the public, keep on intensifying instead of easing the contradictions. It has created stronger clashes between the Police Force and the protesters. Such clashes have objectively created commotion, unrest and even riots, with an intention to force the Beijing authorities to intervene and even deploy the Liberation Army to clear the scenes in order to protect himself. Hence, I call upon people participating in Occupy Central not to fall into the trap of Mr LEUNG Chun-ying. They have to keep a clear mind, bear in mind the initial intent, and continue to fight for universal suffrage by way of peaceful disobedience.

In fact, the way of governance by the Chief Executive and the Beijing authorities has already lost the trust of the whole generation of the Hong Kong youths in the SAR Government. Otherwise, we will not see so many students, youths in the occupied areas, and so many parents who take to the street in support of their next generation and children. What the Beijing Government needs to do is not to suppress, but to sincerely materialize its undertakings in the Sino-British Joint Declaration and the Basic Law, so that Hong Kong people can enjoy democratic elections which are genuinely universal and equal. This is the best way to resolve the present political predicament of Hong Kong and to maintain the rule of Hong Kong.

President, here I have to read out the words of Mahatma GANDHI for mutual encouragement with the Hong Kong people at the occupied areas and on the umbrella square. Mahatma GANDHI once said, "When I despair, I remember that all through history the ways of truth and love have always won. There have been tyrants, and murderers, and for a time they can seem invincible, but in the end they always fall. Think of it — always." President, do not forget the initial intent. May the Standing Committee of the National People's Congress withdraw its decision to "close the gate"! Request for real universal suffrage! I want civil nomination!

I so submit.

(Mr Albert CHAN stood up)

MR ALBERT CHAN (in Cantonese): President, please summon Members back to the Chamber in accordance with Rule 17(2) of the Rules of Procedure.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr YIU Si-wing, please speak.

MR YIU SI-WING (in Cantonese): President, Occupy Central is now entering its 19th day. The kind of street occupation and confrontation which Hong Kong people hate to see has finally happened. The function of a government is to maintain the normal operation of society. Occupy Central, however, aims to paralyse the Government and the organizers take this as a bargaining chip, and thus sacrifice the overall interest of Hong Kong. The occupation of three locations in the territory by protesters and the resultant paralysis of road traffic have produced an obvious economic impact which is beginning to be felt by different industries and trades.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

In the midst of the present political uncertainties, the tourism industry, one of the four pillars of the Hong Kong economy, is particularly vulnerable to impact. Recently, a number of countries have issued travel alert for Hong Kong, and some Mainland provinces and cities have tightened the issue of permits for package tours to the territory. Traditionally, October and November every year should be the peak season of business trips and tourist visits to Hong Kong. However, people from the industry now reflect that they have received a gradually rising number of cancellation requests from Mainland and overseas package tours, business visitors and people intending to come here under the Individual Visit Scheme. The volume of hotel reservation is lower than expected and requests for room cancellation have increased significantly. If the

Occupy Central movement continues, it is estimated that the room occupancy rate may drop drastically by 50% to 60% in the case of those hotels that are more seriously hit, a record low for the corresponding periods of the recent 10 years. In regard to outbound travels, the statistics I have recently collected show that the business volume in the first half of October dropped by 20% when compared with the volume in the same period last year. It is believed that many people are now reluctant to travel overseas due to their worries about the Occupy Central movement. There are 1 700 travel agencies in Hong Kong, and more than 90% of them are small and medium enterprises (SMEs) whose revenues are low and cashflows limited. With the cancellation of tours and other booked services and the resultant shrinkage in business volume, the industry will certainly sustain severe impact and suffer immensely. If the occupation movement drags on endlessly, we simply do not know for how much longer those firms in poorer financial shape can still last. When the end of the year arrives, these SMEs will have to settle bills and distribute double-pay to their employees. If they cannot have sufficient cashflows, a wave of business closure is bound to take place. Tourism-related industries such as retailing, catering and transport will also sustain severe impact and face survival difficulties. Owing to the ripple effect, employees in the services industry and related businesses will see not only a drop in income but also the breaking of their "rice bowls" at any time. It is evident that the repercussions are not confined to the damage visible at present but will last for prolonged periods.

When faced with this occupation movement and its highly negative impact on people's livelihood, the economy and law and order, the Hong Kong Government must show its commitment, adopt all necessary measures to restore social order, and stop the persistence of any unlawful acts which pose threats to government and police authority and impact people's daily life.

Deputy President, Members may still remember that the incident was sparked off in the night of 26 September when a Scholarism member who sought to escalate the action called upon other protesters at the venue to climb over the fence and charge into the East Wing Forecourt of the Central Government Offices. The situation then went out of control, and a number of security guards, police officers and protesters were injured. On 28 September, we saw on television that crowds of protesters equipped with protection against pepper spray and also umbrellas as weapons launched direct attacks on the police cordon line over and over again in total disregard for the safety of both sides, thus causing the injuries of many. To prevent further injuries, and having failed

repeatedly to advise the protesters against such acts, the Police had to apply an appropriate level of force and made use of pepper spray. But they still could not bring the situation under control, so they had no alternative but to use tear gas. Suppose the protesters had really abided by their previous vow of holding a peaceful assembly, and suppose they had not engaged in any dangerous charging acts, would the Police have used any tear gas all of a sudden? Given the circumstances of the time, we must trust the professional judgment of the Police and agree that the application of an appropriate level of force to maintain order was actually the last resort.

The Hong Kong Police Force enjoys a high international reputation. They must handle thousands of demonstrations each year, but they have always remained restrained and calm, showing a very high level of professionalism. When judged against international standards, Hong Kong police officers are far more civilized in behaviour than their counterparts in Europe and the United States. The Hong Kong Police Force has certainly been facing unprecedented challenges over the past 20 days. While having to maintain law and order as usual in all the districts of Hong Kong, they must also tackle tens of thousands of protesters in various locations round the clock, attempt to maintain order and traffic flows in demonstration areas, and even use their own bodies to keep protesters and their rivals apart. In spite of rains and the scorching sun, they have always remained vigilant and strictly enforced the law in a manner that deserves commendation. But then, police officers are also humans. Having taken part in prolonged and tough operations marked by provocations of varying degrees from different people, police officers may at times lose control of their own emotions, and a really handful few might even overreact. People should understand that they do not mean to do so. If there is unlawful conduct, we should take legal actions. But rather than appreciating the predicament faced by the Police, some Members from the pan-democratic camp have put forth many groundless and unreasonable accusations, such as abuses of power and harbouring triad elements. As Legislative Council Members, we should express our views objectively on the problems between the Police and protesters, so as to avoid any deterioration of the problem. All accusations must be supported by facts and evidence. I hope that these Members can stop all such mudslinging, assess the performance of the Police in a fair and objective manner, and support the discharge of their duties under the law. Damaging the reputation and authority of the Police is not going to do any good to the rule of law in Hong Kong.

Deputy President, Hong Kong people enjoy freedom of speech and there are different channels for them to express their demands. Even though we uphold different political beliefs, we should not strive to realize our ideals at the expense of society's overall interests, nor should we seek to paralyse the Government as a bargaining chip, and still less should we resort to any illegal and violent means. For 19 days, Hong Kong people have shown a great deal of tolerance: people in the occupied areas must make detours when going to work; students cannot go to school as usual; operators of small shops who cannot have goods delivered to their doors must themselves trolley the goods bit by bit to their shops; and retail shops and restaurants have seen a plunge in business turnover. These people are the silent majority, and their tolerance of unlawful protesters is not without limit. I hope protesters can put themselves in other people's shoes and consider their needs. They should stop occupying the major trunk roads and let Hong Kong restore its normal social order as soon as possible.

I so submit.

MR TANG KA-PIU (in Cantonese): Deputy President. As early as the time between mid-July and mid-August, many Members, especially those from the pro-establishment camp, already put in lots of efforts to promote the signature campaign "Sign for Peace and Democracy movement". Given the participation of 1.5 million people, I suppose even pan-democratic Members cannot possibly query the scale of the campaign and the public opinions it stands for. However, honestly speaking, it must also be admitted that the number of people or members of the public who take part in the illegal occupation of Central has been larger than expected so far. Why is there such an unexpected turnout? What have led to the change of popular sentiments? I have asked many people whose positions are more on the moderate side, and they invariably think that people should have been "forced" by the tear bombs to come out.

I believe that over the past one day, we have already held sufficient discussion on whether any tear gas or tear bombs should have been used. I must declare here that I am only a "Peanut Guy". I was not at the scene, but I still wish to express my views from three perspectives. The first is the perspective of protractedness. The adjournment motion today makes a very fair reference to 26 September, rather than 28 September. This shows that by 26 September, the series of class boycotts organized by the two student organizations had already

caused the Police to deploy huge police force for days on end to maintain public order and tackle a lawful assembly which had fulfilled all requisite requirements.

As mentioned by both pan-democratic and pro-establishment Members just now, the trigger point was reached when those students who had completed all requisite legal requirements for the assembly suddenly charged at the fence and climbed over it. This was the trigger point. Subsequently, on 26 September, 27 September and 28 September, many demonstrators rushed out. Therefore, we must first understand that the use of tear bombs by the Police on 28 September did not come about without any reasons. Actually, for a very long time before that day, the Police had already been faced with waves and waves of sudden and unexpected charging actions that looked spontaneous but were in fact carefully planned. Was there sufficient police force? Was there adequate preparation?

As mentioned by Mr SIN Chung-kai just now, it cannot be denied that things did not happen according to the "script" already announced. According to the "script" already announced, people would "turn up for the banquet" on 1 October. But in fact, many seemingly spontaneous happenings were used to spark off waves and waves of charging actions. The Police must therefore make a choice. And, I believe that there was an objective fact behind the choice made: the Police had already endured many days of ordeal and unexpected charging actions. So, this is the perspective of protractedness.

The second perspective is about the very sudden and unexpected nature of the happenings. As I said just now, what happened was a sudden intrusion. The persons in charge of the two student organizations all admitted afterwards that their intention was to create an anti-climax around 10 pm when the assembly was drawing to an end. They succeeded, and one climax after another indeed ensued. They made a sudden intrusion and abruptly kicked off Occupy Central. But back on 27 September when the several leaders of Occupy Central visited the scene, they still warded off students' criticisms and made it clear that they would not advance the commencement of Occupy Central, adding that they were just paying students a visit to show their concern and support. In the end, however, they announced the beginning of Occupy Central at 1 am on 28 September. Could the Police cope with all these unexpected happenings? We can imagine that if we are talking about offensive and defensive warfare, the above must be an excellent surprise attack.

When it comes to the question of fierceness, many people describe the demonstrators as peaceful. I believe Members belonging to the pro-establishment camp will also admit that most demonstrators (may be about 80% or 90%) are just ordinary students and members of the public who are peaceful and not irrational, in conformity with Members' advocacy of "peace, rationality, non-violence and non-abusive language". They are non-violent and non-abusive in language, always raising both hands.

I initially also thought so, especially when I saw all those WhatsApp footages in circulation on 28 September. In an eight-second footage, for example, a middle-aged man who looks so good-natured and harmless in every way is pepper-sprayed by policemen when trying to talk others out of a scuffle. But then, on 29 September, there was another four-minute WhatsApp footage. In this footage, the same old man mentioned above turns out to be the "No. 1 Warrior" spearheading various charges at police cordon lines. Therefore, in reality, the demonstrators are not so peaceful as imagined, and they do not sit arm in arm on the carriageways to wait for police arrest. This is definitely not the case in reality.

I believe that all the Members here, mere "Peanut Guys" and those who have been to the scenes alike, must admit the existence of such footages. And, in some such WhatsApp footages, we can even see people looking familiar to us, people looking like our fellow Members, who stand on high platforms and call upon the masses to charge at the Police. I hope the Police can carry out investigation in this regard. This is a very extreme kind of actions.

Let us recap the situation at that time and try to construct a sequence of events from the "Current News" footages of RTHK. At 10.30 pm on 27 September (when the commencement of Occupy Central was not yet announced), the Hong Kong Federation of Students said that they would stay behind until all the students were released. Actually, between 1.30 am and 2 am, the Police already released most of the students who were taken away from the so-called Civic Square, that is, the forecourt of the Government Secretariat, with the exception of a few student leaders. But under the law, these student leaders would also be released within 48 hours. What does "within 48 hours" mean? This means that they should all be released in the evening of 28 September. In that case, why did the Federation of Students still insist on staying behind?

Around 1.30 am on 28 September (that is, three hours later), Benny TAI formally announced the commencement of Occupy Central. This can show that the timing of all the events was in fact carefully planned. His announcement can still be found on the Internet even now: "We shall lick off Occupy Central by occupying the Government Secretariat, marking the beginning of an era of disobedience". Having heard "the occupation of the Government Secretariat", any policemen or the police commander at the scene would naturally wonder which place they wanted to would occupy ― the forecourt or the building of the Government Secretariat? This was a very serious matter, not as simple as the occupation of a road.

Therefore, as I said just now, with the protractedness, sudden and unexpected nature and fierceness of the happenings in those few days, we must all ask ourselves whether the Police would have any alternatives if they did not use tear gas or tear bombs. One alternative is to retreat and pull back the cordon line, allowing demonstrators to rush into the forecourt. But the forecourt is only a few steps away from the Government Secretariat building. What I want to say is that when the hundred or so students climbed over the fence and entered the forecourt on 27 September ― we are naturally also concerned about their safety ― their actions already caused the injury of 10 security guards, one Government Secretariat staff member and four policemen. If the Police decided to retreat on 28 September, would there be any further injuries? What would be the extent of occupation? But the Police did not have any time to think about all this. On the other hand, if the Police did not retreat and continued to tackle the onrush of numerous demonstrators with their bare hands, like what we often see on television these days, what would happen? Would this lead to more scuffles? Would both sides turn more agitated? Regarding whether the use of tear gas or tear bombs and the quantities involved constituted any application of excessive force, we must have faith in the system. Our system is such that the Independent Police Complaints Council will handle the matter very seriously. We very much hope that as social leaders, Members can all support the system that has been established in Hong Kong over the past one hundred years, rather than helping to smear the Police.

Let me quote some neutral commentators here. At the scene, they heard some young demonstrators yell to policemen, "Go back to your dog houses, you shit-eating dogs! Can you remember who pay you your salaries?" Well, this is also true of Members because their salaries are also paid by taxpayers. If policemen hear such provocation and abuses every day, can we imagine …

Members who used to be social workers or who were engaged in providing community or family services will know that domestic violence may not necessarily involve physical violence. Rude and abusive language is already a form of domestic violence. We must of course protect all Hong Kong people and make sure that both Occupy Central supporters and their opponents will not get hurt. But we must also respect the policemen caught in the middle and appreciate their difficulties.

(THE PRESIDENT resumed the Chair)

Therefore, I wish to put forward three sincere requests here, and these three requests are presented especially to the three adult leaders of Occupy Central. First, before they turned the situation into such a mess, they issued a manual of disobedience. There are eight points in the manual, and I only want to discuss one of them here: "Adhere firmly to non-violent struggle, and when faced with law-enforcement personnel … never do or say anything which may inflict any physical and psychological harm on them, or which may cause them any property damage." If they notice anyone putting up such slogans, or see any demonstrators doing or saying anything that may cause physical and psychological harm to others, will they take immediate actions to stop them? How will they stop them? However, I do not think that they have the ability to do so.

My second request is that the organizers of Occupy Central must admit the failure of their movement. They emphasize peaceful negotiation. Even if we do not talk about the recognition of their "three-track nomination" option, they must not forget their own words that they would consult the public again following the decision made by the Standing Committee of the National People's Congress. But they did not do so. Rather, when the decision was announced, they said they would occupy Central. This already contravenes their own procedures. And, adherence to procedures is the very essence of the democracy they talk about.

Third, they have repeatedly claimed that the illegal occupation of streets is the spontaneous action of the people themselves. They have even vowed over and over again that they were not the organizers of the series of unexpected clashes, adding that the situation is already beyond their control. This actually

means that they have lost control of the movement. Therefore, they must put an end to Occupy Central. I of course know that even if the three of them withdraw, Occupy Central will not thus come to an end. But they must at least bear the historical responsibility.

Many People say that Occupy Central has split up our society. I can observe that our society has been split up at two levels. The first is about our values. Hong Kong is a pluralistic society, and all the families here have different backgrounds. My parents, for example, swam to Hong Kong because the Mainland was rife with poverty and political campaigns at that time. As a result, my parents swam to Hong Kong, where they started a life among the grassroots. Therefore, many Hong Kong people actually want the preservation of stability, prosperity, the rule of law and freedom (at least the degree of freedom we now enjoy). And, naturally, there is also democracy.

Of the many values, which should be the highest in ranking? And, does our pursuit of the value with the highest ranking always mean the sacrificing of other values? I hope that supporters of Occupy Central can give some thoughts to this. Sadly, damage is already done, in the sense that some people have come to regard their own value as being of paramount importance, and others are all "Hong Kong pigs" which are only concerned about making a living. Does this show any respect for others?

Another value which we must all bear in mind concerns how we perceive "one country, two systems" and the powers enjoyed by the state under the present constitutional framework. On the stage at the occupied venue, the expression "self-determination" is written. Early this year, the Hong Kong University Students' Union even advocated "national self-determination for Hong Kong". Behind such an advocacy, how much understanding ― not respect, but just understanding ― and consideration of "one country" can we find? This is precisely where the splitting occurs ― while one thinks that "one country" is very important, others think that it is totally unimportant. But as a social leader, I find my position a bit embarrassing. I was not born early enough to experience the 1967 Riot like the elderly generations. Nor could I make sense of the movement in 1989 because I was only 10. I did experience the march in 2003, however. I also participated in the march, thinking that young people should stand forward to do something, and that joining the march was also a way of doing something. I hoped that this could change our society, and I thought that

it was normal to do so. But I must add that there are many ways to change society, and the most important point is that any such actions should not first cause any damage to society.

As a Legislative Council Member, when I see the four paintings outside, I at once realize the progressive nature of historical changes. The four paintings are the portraits of successive Presidents of the former Legislative Council and the Legislative Council after the reunification. But the former Legislative Council had a history of over one hundred years, so one may wonder why there are only four paintings. The answer is that before 1993, the Governor of Hong Kong was also the Legislative Council President. Do we know or can we remember this part of our history? Nowadays, the Chief Executive holding the concurrent post of the Legislative Council President is something beyond all our imagination.

History advances progressively, and so does our democratic institutions. It is only by respecting the law and through negotiations that we can make the process of democratization bear wholesome fruit.

Thank you.

(Mr CHAN Chi-chuen stood up)

MR CHAN CHI-CHUEN (in Cantonese): President, I request a headcount, so that I may take a rest.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr LEUNG Che-cheung, please speak.

MR LEUNG CHE-CHEUNG (in Cantonese): President, the Occupy Central assembly has so far been staged for more than two weeks, a total of 19 days. In the views of the public, they just hope that this so-called political storm will be over as soon as possible. However, it is by no means easy to settle this political storm. To do so, various political camps and leaders have to demonstrate mutual accommodation and prove that they are willing to resolve the issues concerned.

We have deep feelings about this political storm, and particularly about this Umbrella Revolution referred to by the western media, as it has imposed extremely great damage on Hong Kong as a whole, and immensely affected the economy and the community. For certain persons, they may think that they have won a so-called victory, but to the general public, this so-called revolution has broken the hearts of all the people of Hong Kong, as the fruits of development earned by more than three generations have turned sour, and all of a sudden Hong Kong has become an uncivilized place.

I wish to point out first that the action agenda of this so-called colour revolution is to affect adversely Hong Kong's traffic conditions by blocking the various major roads, and thereby impacting on the daily life of the majority of the population. While the original good will was to implement democracy, or to further implement democracy in Hong Kong, things have developed to the contrary. If such acts were to be adopted as an agenda for democracy movements, no people of Hong Kong would want to have such kind of democracy. On 22 September, some students started the class boycott campaign to express their demand for universal suffrage, and held assemblies in Tamar Park and outside the Central Government Offices (CGO). The assemblies lasted five days and the Police have done nothing to hinder them. Indeed, the Police have even helped the students to maintain order. People's freedom of assembly was fully realized there.

On the evening of 26 September, Scholarism's Joshua WONG spoke on stage and called on the students to force into the Civic Square. Then, a crowd of students climbed over the three-meter-tall fence, seized the mills barriers and charged at the police cordon line. In so doing, they have broken their pledge to remain peaceful. Speaking of this pledge, I remember I saw on television some members of the Democratic Party participating in drills. There drills assumed that the Police would use water cannons to disperse the crowds, and that the

Police would carry them away by force. In the drills, they were very peaceful, just sat there on the ground without charging forward or any other acts. But then, this time I saw on television the said crowds of students charging against the CGO, running contrary to the so-called pledge of a peaceful assembly.

As reported by the media on the following day, many members of the public and students upholding the concept of peaceful had come out to support those students, and they were terribly shocked by the unexpected charging acts, and some of them were even shocked to tears. After the charging acts, some of the students continued with their assembly. On the morning of 28 September, Occupy Central organizer Benny TAI announced that the assembly would be turned into Occupy Central. Then, the people gathering at the assembly pushed against the police cordon line. We saw on television that hundreds of protesters charged against the police cordon line again and again, a total of three times. Some colleagues who spoke earlier on claimed that those charging acts were peaceful ones.

According to my common knowledge, the umbrella was a kind of offensive weapon during the "Republic Era". Members who have watched drama series about Master WONG Fei-hung would know that he used an umbrella as his weapon in fighting the so-called "bad guy Kin". If an umbrella is used as a weapon, it will cause injuries. Do our Honourable colleagues not have such common knowledge or sense of historical facts? I grew up in the rural areas, and the older friends always advised us to carry an umbrella when leaving home. What was that umbrella for? It could serve three purposes: first, to shelter us from wind, rain and the sun; second, to be used as a walking stick; and third, to fend off untamed dogs. So, umbrellas can really be offensive weapons used for self-defence.

Taking that into consideration, do you think damages would be resulted if people carrying umbrellas charged against the police cordon line at the same time? I can say here that if any Honourable colleagues from the pan-democrat camp could cite one single example proving that the charges had not inflicted injury on any police officers, I would then agree totally that they were right in claiming the protests peaceful ones. Certainly, many of the students and members of the public were staying at the back of the crowds as onlookers when the incident took place, and thus did not know what tactics people had employed when charging against the police cordon line. Have Members ever watched

people practicing "Wing Chun"[1]? The most fearsome stroke of it is "kicking under the skirt", which means using the skirt to cover up the legs and kicking the rival directly. We have seen on television some people raising their hands over their hands before kicking the police officers. Is it not a fact that some police officers were injured in the incident? I believe the general public in Hong Kong can certainly judge impartially whether the charge against police cordon line is an act of violence capable of inflicting injuries on police officers.

To be fair, the pepper spray and even tear gas used by the Police are but weapons to disperse the crowds. Such kinds of weapons will not knock people down or drive them away. Actually, as weapons, they are to no avail at all, and yet they are described by some as weapons to tackle violent crowds. This may perhaps be attributable to the crowd dispersal methods employed in the West that we have seen on television, as their police officers would beat the protesters up with their baton after firing tear bombs. However, the Hong Kong Police Force was not like that and they just returned to the police cordon line after firing the tear bombs to disperse the crowds. Hence, I think the Police have exercised a high level of restraint in handling the public movement this time, and they were very professional as well.

As a matter of fact, President, many media have taken visual records of the incident from different angles, and we can find out the truth from the photos taken. Nevertheless, some media or social networking sites seeking to stir up trouble have been reporting half-truths and disseminating video records from perspectives that they believe are against the interest of the Police, thereby aggravating some protesters' hatred for the Police. If such situation is allowed to continue, the movement can never be stopped.

I believe the "cause factor" mentioned by Mr Alan LEONG just now referred to the reasons why people had taken to the street. However, I think we should also analyse the factors behind the incident as well. First, people have not figured out clearly what has been happening. As Mrs Regina IP has already expounded on that, I am not going to repeat the points.

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1 "Wing Chun" (詠春) is a style of Chinese Kung-fu fighting sometimes practiced by women in southern China and Hong Kong.

Second, for more than a year in the recent past, the people advocating Occupy Central have been disseminating to the public information about the negative results of the Government's policy implementation efforts. But then, such negative results are in fact attributable to the strong attempts made by the pro-democrat Members to hinder the Government's work. Let me cite some examples by quoting the terms they have coined: conceding Northeastern New Territories, "locusts" scaring away visitors, "doubly non-permanent resident" people inflicting calamities on Hong Kong, delaying issuance of licence, "cross-boundary students" snatching school places, and so on. Actually, most of such so-called negative results are attributable to the obstacles set in this Council by the pan-democrat Members. As such, how can the blame for such results be put to the Government? Nevertheless, it is by no means difficult to frame somebody up, as some may mistake lies for truths if the lies are repeated many times every day.

As such, I believe the incident in question can help members of the public see clearly the developments of our society these days, in particular the tearing up of the community by this colour revolution, including the family disputes generated in this connection. Besides, we can also see how people like us, who strive to safeguard Hong Kong's prosperity and stability as well as the social accomplishments hard-earned and established by our previous generations, are going to contest against and tackle those who seek to thoroughly revolutionize our society. I believe the majority of the population will strive to safeguard Hong Kong's prosperity and stability, and we will work hard on that. As for those who want revolution, they should not resort to breaking the law or blocking up major roads as their means. Otherwise, they will become a pile of rubbish in history, for we will expel them from the stage of history.

Occupy Central has affected seriously the daily life, such as the journeys to and from work, of the residents living nearby. Hence, more and more members of the public will get totally fed up with the movement and voice out their opposition. I hereby call upon members of the public to continue to express our dissatisfaction with these law-offending people and say no to their unlawful acts.

I so submit. Thank you, President.

MR RONNY TONG (in Cantonese): President, the challenge facing us now is the toughest since 1967.

Given that Hong Kong has survived so many challenges and experienced so many significant events as well as large-scale assemblies and campaigns, I expected and hoped that the many seemingly wise persons in Hong Kong could come up with some good ideas to deal with and address the various challenges, thereby resolving the dispute in question. Regrettably, however, what I have seen was but some overweening attitude, thinking that all issues can be resolved by power.

Things are just the same even in this Council. I have listened to the speeches made by many Members, but not many of my Honourable colleagues have viewed the entire matter from the angle of how this torn society could be mended. Most of them are focusing on the superficial issues, thinking that the entire matter will be resolved after the talking has been done.

What we are facing now is not just a question of social order. Indeed, all the large-scale on-street campaigns across the world involve not only the question of social order. What we are facing now is not a traffic issue. It is not that we have to handle some traffic problem whereby some people are unable to go to work due to traffic congestion. We are not talking about problems of police-public relations either, and we are not here to resolve some police-public disputes. All these are the results arising from some deep-rooted conflicts that we are now faced with. Hence, I believe we are over-simplifying the matter if we do not face these deep-rooted conflicts squarely and instead, focus our discussion on some superficial issues like whether or not the Police should fire the tear bombs or whether there should be some pushing-arounds. What is more, President, some even raised the question whether or not you should use foul language to reprimand me when leaving the Council.

President, what we are now faced with is a political issue. But then, have we ever tried to resolve it from a political perspective? I must point out that a few days ago when I watched on television an exclusive interview of LEUNG Chun-ying made by a certain television broadcaster ― President, I am not a quick-tempered person, but I was almost tempted to throw my cup at the television at that time ― I saw LEUNG shifting all the responsibilities on the front-line police commanders. It seemed to me that he had forgotten about his position as Hong Kong's Chief Executive, and he also seemed to have forgotten that the tear bombs fired by the Police covered a very extensive area and the

entire process lasted several hours. He seemed to have forgotten that the present situation is largely attributable to the firing of tear bombs. Even though I was not in Hong Kong when the tear bombs were fired, I kept watching the CNN every minute or every other minute. I have seen a picture taken by a certain medium, and this picture is really astounding and soul-stirring. In the picture, tear bombs exploded like firework, and at the lower part of the picture were umbrellas of different colours trying to fend off the tear gas. It was this picture that caught the attention of the world's media. A friend asked me if I could remember the reason why Martin Luther KING had succeeded, and why the civil rights campaign of the black Americans could have a reverse trend. The answer is one single picture. Perhaps the President can also recall that equally astounding picture, which showed a police dog biting the arm of a young black man. It was this picture that changed the way the American nationals viewed the civil rights campaign of the black Americans.

Now, we have an astounding picture too. What are we going to do with it? Because of this picture, the Police dare not clear the scene at this stage; and because of this same picture, the participants in Occupy Central believe they can get what they fight for if they are persistent enough. As such, nobody has given thought to the question of whether or not both sides should move one step backward. No, not one single thought. As for the call for holding a conversation, even though the concerned parties had been talking about it for weeks, the meeting was eventually called off. How are we going to deal with the issues before us now?

President, as I have said just now, this is not any police-public relations issue, social order issue or traffic issue. We can hold a 10-hour discuss in this Chamber and we can discuss the issue in this Council for 10 times, but if we do not change our way of thinking or the overweening attitude that all issues can be resolved by power, I do not think we can achieve any meaningful results at all. Can my Honourable colleagues not see that?

President, how are we going to address this issue which is seemingly hard to resolve? One of the reasons why this issue is hard to resolve is that many people like to call a stag a horse. It is regrettable that Hong Kong is a city where too many people like to call a stag a horse. Almost every day, we come across some so-called arguments which are apparently right but actually wrong, and such arguments are eroding the cohesion among our society, expanding the small cracks between us gradually and steadily.

President, I do not wish to use Mrs Regina IP as an example, but this is a very recent case. One thing for sure, she has studied political science and I have not. I believe that not many of us here have studied political science, but we are all practising politics. What Mrs Regina IP has said just now should never be dismiss with a laugh. According to her, screening mechanism exists in each and every place, and the United States is no exception, as only locally born American nationals are eligible to run for presidency. I do not know whether Mrs Regina IP was required to take any examinations when she was studying political science, but I am sure she would fail the examination if she should apply such a notion in writing her examination papers. We have discussed this so-called screening mechanism in this Council dozens of times or even several hundred times, and members of the community have also had many discussions in this connection. We have been discussing this issue for many years, and the "screening" we refer to is not a condition for candidacy but a mechanism to deliberately exclude people holding different political views from candidacy.

According to the example cited by Mrs Regina IP, American nationals who are not locally born are not eligible to run for presidency, regardless of whether they are Republicans, Democrats or even individuals. How can such a requirement be regarded as a screen mechanism? At least this is not the kind of screening the people of Hong Kong talk about when striving for democracy. What is her point in citing this example? She also said that all political parties across the world practise screening. That is true, Mrs Regina IP. However, members of a political party share the same political views, and hence competition within the same party should not be regarded as screening. If any Member from the Democratic Alliance for the Betterment and Progress of Hong Kong should wish to join the Civic Party but was screened away by us, such an act could be called screening. Hence, what we are talking about is screening by the nominating committee, not some conditions for candidacy.

President, if I remember it correctly, one has to reach the age of 40 to run in the Chief Executive Election, as Mr Paul TSE had once been screened out for not meeting the minimum age requirement. However, this kind of screening is not the kind we are now talking about. This is because whoever under the age of 40, be he Mr Paul TSE or Mr Alan LEONG, is not eligible for candidacy. Am I correct?

This is the notion she holds as her rationale. I really do not want to insult her by saying that she was calling a stag a horse. Nevertheless, the notion she put forward will serve to deepen the wide gap between the two sides, so much so that we really feel we can hardly have dialogue with her, as we are using different frequencies. How, then, are we going to resolve the issue?

In my view, we need to cool down at this juncture, and we need to set a good example by trying to cool down ourselves first. When we have cooled down, the people outside may also cool down. If the people outside have cooled down, we may have the opportunity ― perhaps this opportunity has already gone ― to resolve this toughest challenge before us. Let us not hide our heads in the sand and claim that this is the problem of the Police.

President, I do not have much speaking time left, and I must spend some time on last night's incident where a protester was being beaten up. This incident is related to the subject matter we are now discussing if we look at the time sequence of the events. However, the basic principles behind are not the same. Whether the protesters are striving for universal suffrage or price cuts, or they are just hanging around on the streets for no purpose; whether the persons concerned are protesters or police officers, and however huge the pressure facing them is, nobody should let such thing happen. Little kids have learned it in school that it is not right for several persons to beaten up a defenseless person, not to mention pressing that person onto the ground to beat him up. This is the most basic principle of social ethics. But then, how did our society react to the incident? I am not going to talk about how this Council has reacted, lest another dispute may be aroused.

Some said the protester had poured urine to the police officers, and some even said on the Internet that the fluid was corrosive and posted a picture showing a police officer whose eyes and hands had been damaged by some corrosive substances. Actually, some people did say things like that. But has anybody come out to elucidate the whole thing? Have any pro-government Members in support of the Police stood up to say that such thing had never happened? Even if such thing has happened, it is still improper to press a defenseless person onto the ground to beat him black and blue. What are courts of law for? Is this an episode of a cowboy movie? I shoot you with my pistol because you have poured alcoholic drinks over me. We have seen a lot of cowboy movies like that, but such thing should not happen in Hong Kong.

We have courts of law and many system and mechanisms. If you consider this person has wronged you by pouring water over you, or he might even have poured urine over you, you should let the Court make its judgment. How can you resort to pressing him onto the ground to beat him up? What is the response of our SAR Government in relation to this incident? The Government said it would handle the matter in accordance with the law and the relevant police officers would be transferred to other posts at the moment. The Government has also asked the public to wait and said it would inform the public of the results eventually. How can such response help ease the atmosphere when the two sides are at daggers and greatly antagonized?

As a matter of fact, we have our established procedures to deal with the matter. If this is a *prima facie* case, which means that some police officers have breached the law, the first thing to do is to suspend their service and commence with the investigation process. Why didn't they do that? If they had done and said that yesterday, the atmosphere today would most probably be better, and people might not have rushed onto Lung Wo Road last night. The problem with us is that we are unwilling to make some most essential efforts to realize the core values that we have all along been relying on for our success. This is all attributable to our attitude, our overweening attitude and the belief that everything can be resolved by power. We just tend to believe that so long as we have power in our hands, it does not matter how unjust things are.

This is our woe. No matter for how long and how many times we discuss the incident here, Hong Kong will not have any future if we do not change our attitude.

MR CHAN CHI-CHUEN (in Cantonese): President, a headline in the *Wall Street Journal* on 4 October suggests that "the Hong Kong Police Force's hard-won reputation as 'Asia's Finest' took a hit when tear bombs were used against protesters". It was even more stunning when I went through the article, which reported that when dark forces were sweeping the demonstration area in Mong Kok and peaceful demonstrators were being beaten up by thugs, police officers at the scene were heard saying that he would try to help, but only after the thugs have had their share of the beating. It is believed that the destructive power of these few words and the damage they have done to the Police Force are far more enormous than tear bombs.

It may be disputable whether tear bombs should be fired, when should they be fired, how many canisters of tear gas should be fired or when should the action be stopped, and so on, but behaving as if they were onlookers with folded arms when people were seen attacked by thugs is in no way justifiable and cannot be excused. However, people may have a different perception after the incident involving Ken TSANG yesterday morning and think that the Police might have already showed their mercy by looking on with folded arms, since there is every possibility for them to join the attack.

Mr IP Kwok-him has mentioned just now that many people only learnt about the incident from the television and were not personally on the scene. This is exactly how some people look at the 4 June Incident in 1989: Since you were not physically in the Tiananmen Square, why should you make so many comments?

It is correct to say that I was not physically present in Mong Kok on 3 October when dark forces against Occupy Central were raiding the demonstration area. Nevertheless, on 13 October (Monday), when over 100 people wearing face masks and suspected of having triad background came to raid the demonstration area on the Queensway, I have witnessed the whole incident with my own eyes. Since I was there on the scene that day and witnessed the incident, I have to tell everyone in Hong Kong what I have been seen.

At about 1 pm on Monday, I arrived at Queensway near Lippo Centre and saw many people wearing face masks gathering in groups of 10 or eight by the railing, and there should be a total number of over 100 of them. People on the scene noticed that things were looking bad but the Police were unaware of the tense atmosphere and very few police officers were there.

At about 1.30 pm, when I was at the Queensway under the Cotton Tree Drive Bridge, the situation started to deteriorate. Immediately after a shout of "Move Now!", the young men wearing face masks were seen swarming with cutters and shears to snap the cable ties that held mills barriers together. Peaceful demonstrators on the scene, regardless of their own safety, rushed forward at once to stop them and seize the mills barriers, but they were of course subjected to the beating by those wearing face masks. I saw with my own eyes that police officers on the scene were just looking on without doing anything, as if they were seeking pleasure of the bustling scene. How could they behave like that?

If I went to beat up Mr Michael TIEN now, I am sure security staff would run to me in five seconds, right? However, it seemed that police officers on the scene that day were just enjoying themselves watching the bustling scene. It was lunch time then and there were many office ladies, young men in their suits and foreign nationals working in Admiralty passing by. Being unable to put up with what they had seen, they too cried out to the Police, indicating that someone were being beaten up and urging police officers to take action and arrest the assailants. As the Police were hard pressed by other people on the scene, attempts were made to handle the confrontations, but only to stop the fight. A man wearing face mask was brought to the Police by a group of people, accusing him of assault but the police officers pretended that they heard nothing. Thanks to the sharp-wittedness of the people, the staff number of a police officer was immediately read out, making it impossible for him to evade responsibility.

The Police then took the man wearing face mask, but not to arrest him. Instead, they tried to find out who had been beaten up by the man while the victim was still under attack on the other side of the road. I wonder if the Police were reluctant to take arrest action. People continued to press the Police to take action and finally, they were made to take the man wearing face mask to the lift lobby of Lippo Centre. I, together with 10-odd people, chose to go with them because we were really afraid that the man would be arrested at one end of the street and then released down the street on the other. I immediately asked my colleagues to have the process video recorded and a police officer who was caught in the view claimed that they would handle the case "as usual", though I did not really know what he exactly meant by using the phrase.

I learned from the news reports that day that three persons had been arrested by the Police in the incident. However, I myself already witnessed the arrest of two of them, that is, the one I brought to the Police and another who had his hair dyed blonde and was caught on the scene with both hands tied behind his back. Nevertheless, to my surprise, it was reported that only three persons had been arrested. Should this be considered worrying? Subsequently, updates were made by the Police late at night to announce that a total of 22 persons had been arrested, which I think would be more reasonable.

As a matter of fact, there was an episode of the incident which I have never mentioned before since I find it hard to describe even with the aid of pen and paper, and today is the first time that I try to give a verbal account of it. When the chaotic situation in which people wearing face masks were snapping cable

ties, members of the public were confronting them and were then subjected to beating had been going on for a few minutes that day, a police officer in white shirt was seen raising his hand to give a slight shaking gesture, and the people wearing face masks then dispersed. It really deserves the description of "警氓合作" (co-operation between the Police and rogues) in which "氓" (meaning "rogues") should be used instead.[2] If the Police were trying to disperse the crowds, could it be done with just a mere raise of hand to give such a slight shaking gesture? Would those people disperse so amenably?

The Police should be perfectly open and aboveboard when executing their duties. It would be something beyond our control if there had not been so many protesters staying at the demonstration area, which might have given the Police an opportunity to take advantage and launch a clearance operation, or even arrest the protesters. However, the Police should not have employed tactic of a heterodox kind. The Administration has earlier claimed that the action taken was by no means a clearance operation but an attempt to recover government supplies. The next morning, when there was no more government supplies in the demonstration area and everything there was brought to the scene by the protesters themselves, the Administration came to remove obstacles put up on roads under the pretence of sweeping the streets. Later at noon, dark forces came to raid the demonstration area, followed by over 1 000 people from certain societies which "love the country, love Hong Kong" ― I call them the "red power". They were coming to cheer for the action of dark forces, repeatedly shouting aloud, "Reopen the road!"

What a coincidence! How can things turn out this way? The three parties of the Police, dark forces and the "red power" from patriotic societies have been complementing each other so seamlessly and flawlessly that no wonder peaceful demonstrators have been kept constantly on the run. Some friends of mine have found the situation very discouraging and are at a loss as to what to do since those from the opposite party are "paid to do the job" while police officers are salary earners. My friends wonder how we can withstand the challenge. I tell them not to be afraid. It is precisely because these people are "paid to do the job" that they will only "do the job" after getting their pay, and there will be a time to "go off duty". This is the reason why in many raids, surprise attacks and rampages in the past, these people would leave peacefully once the time was up.

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[2] "警民合作" is a common phrase in Chinese. It is used to describe the cordial relationship between the Police and the community and "民" (meaning "people"), which is homonymous to "氓" (meaning "rogues", is used to refer to the community as a whole.

It is said that they will work three hours each time and they will also go off duty on time, since coaches have been arranged to pick them up.

Yesterday, when the Secretary LAI Tung-kwok was speaking, he repeatedly urged the peaceful demonstrators to leave but what he said was not important because what has been done is most truthful and it is the action that counts. As a result of the actions taken by the Police, people who have a clear conscience have been repeatedly called to join the movement. Even if they had already gone home, they would come back and defend Hong Kong. In the words of the people, they are not occupying roads but are defending Hong Kong.

Leaders of the student movement have been subjected to unreasonable detention by the Police; roads have been closed unreasonably to prevent people from participating in the assembly held in the Central Government Offices; pepper spray has been used and 87 canisters of tear gas have been fired wantonly; raids by dark forces have been connived at; a protester under arrest and brought under control was beaten up by seven "devil cops" but no proactive action has been taken by the Police to discipline the officers concerned. All such deeds by the Police and the Government are the root causes for more and more people take to the streets. The Administration has tried to persuade protesters to return home and respectable community figures have been asked to urge students to return to their families, but people have been driven to feel even more resentful by what takes place every day around us. Some people who had no intention to go out and fight for universal suffrage were driven to take to the streets by the firing of tear bombs. In the beginning, they did not give a damn about the Occupy Central and found Benny TAI particularly hateful, but they are all driven to take to the streets now.

Under the prevailing political atmosphere and circumstances, front-line police officers are of course doing a thankless job but no matter how many grievances they have and how heavy their work pressure is, they should never vent their frustration and anger on the people. Neither should they resort to arbitrary use of pepper spray against participants of public assembly. There are many pictures showing that pepper spray have been used by police officers against the people at a very short distance. A few weeks ago, a man has been seen putting his hands up in a confrontation, seemingly trying to be a peacemaker, but as he was given a pat on his shoulder by a police officer and turned around, pepper spray was splashed right to his face as if the spraying of insecticide. Regarding such indiscriminate uses of pepper spray, have the Police

ever conducted any review, acknowledged the misconduct and reprimanded the officers concerned? It should at least be admitted that there are black sheep in the Police and there is possible dereliction of duty on the part of some police officers. However, I do not think the Police would admit.

The Police are now even conniving at the malpractice of punching and kicking peaceful demonstrators by some police officers, and the officers concerned are just transferred from their posts without ordering a suspension of duty. As it was well said by Mr IP Kin-yuen yesterday, such situation is comparable to a case in which a teacher is found assaulting his student in the classroom. The teacher has held the student down and beat him up for four minutes and the whole process has been video recorded and broadcast on television. Nevertheless, the school authorities have just informed the teacher that he would be transferred to teach a different class or take up clerical duties in the staff room. Would it stand to reason if officers accused of such a malpractice are not suspended from duty? We urge the Administration to arrest the officers concerned at once. What will be the case if a police officer is dragged to a dark alley and beaten up by a group of ordinary citizens?

We have received some information which I hope is not real, and that is: In order to boost staff morale, the senior management of the Police has been brainwashing front-line police officers, telling them that demonstrators are tantamount to terrorists and thus, there is no need for them to show mercy and be lenient. Whether it is the police officers have lost their temper or they are executing orders given by their superiors, they should not be unrestricted in exercising their authority. Under the Crimes (Torture) Ordinance, "A public official or person acting in an official capacity, whatever the official's or the person's nationality or citizenship, commits the offence of torture if in Hong Kong or elsewhere the official or the person intentionally inflicts severe pain or suffering on another in the performance or purported performance of his or her official duties … A person who commits the offence of torture is liable on conviction on indictment to imprisonment for life." Therefore, dear friends in the Police, you are not the absolute monarch when performing your duties and in no way can you have everything under your control.

Political issues should be resolved by political means. Nonetheless, what has LEUNG Chun-ying said? How did he put everything on the record for us? He said that the firing of tear bombs on 28 September was a decision made by the Police Commander on the scene, meaning that the decision had nothing to do

with him. Obviously, he was trying to pass the responsibility onto officers in the front line. Amid the failure to tackle the issue of constitutional reform, LEUNG Chun-ying turns to pass the responsibility onto the Police, front-line police officers in particular, and causes serious dispute and tension between Hong Kong people and the Police. He should definitely be held most responsible for this.

President, finally, I would like to cite an article which has been widely circulated on the Internet last night. Having got over 10 000 "Likes" and been forwarded 2 000 times, the article is very thought-provoking. I hope those in the Police Force, especially front-line police officers, would take a look at the article or listen to what I am going to read.

Front-line police officers are the targets of the article which says: "What you are facing now are downright political issues instead of simple questions of law and order. These are not something to be handled or understood easily with the training you have received.

"With a waving of the baton, a girl student was badly hurt with her head bleeding and a picture of her has become the unsightly headlines of the CNN and the BBC. Just a change in Beijing's mind, you would be accused by LEUNG Chun-ying of acting without authorization and brought before the Court. He is a real expert in 'shirking duties' and you should have full knowledge of this!

"What then if there is not a change in Beijing's mind? Do you really think that you would be considered a candidate for promotion simply because you have hit the girl student in the head? Can you see that all credits will only go to TSANG Wai-hung, who seems to be missing lately, so that he will be offered a post as the director of some China-funded enterprises with an annual salary of tens of millions of dollars after he has retired?

"Why are you making such a desperate effort? It is a trouble that LEUNG Chun-ying got into, so just let him fix it himself. Why should you as police officers be made to sandwich between? He has repeatedly downgraded you to the level of triad and even rascals. Is this not enough for all the humiliation you have suffered?"

I so submit.

MR ALBERT HO (in Cantonese): President, we earnestly believe that the epic and moving campaign of disobedience started by the people on 28 September in Hong Kong will be evaluated very positively and highly by history despite some people's possible criticisms, because we can all see that even though some clashes have occurred in the whole campaign, the people who have come out generally share the conviction that they should defend the values they believe in and make selfless sacrifices for the well being of this present generation and the next generation. They take to the streets under the heat of the scorching sun, and they sleep in the streets every night. They face the threat of police clearance at any moment, and in some districts, they even face the harassment and intimation of dark forces with unknown backgrounds. Are such experiences pleasant at all? Why have they stood forward?

At the beginning of the debate yesterday, Mr Alan LEONG remarked that we must identify the cause and the result. Therefore, many Members have joined the discussion. Yes, it is indeed true that people were outraged on 28 September by the unreasonable and disproportionate use of tear bombs by the Police against peaceful demonstrators holding nothing but umbrellas to protect themselves from pepper spray, and as a result, the masses swarmed not only to Admiralty but also other districts to stage civil disobedience, obstruct the streets and manifest their fury. But I must emphasize that the campaign has lasted more than 10 days, or nearly 20 days. Can any momentary fury last so long, and cause such large numbers of people to endure so many sleepless nights in the streets in order to condemn this government?

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

We must realize that the people, especially those who have stood forward to stage the struggle, actually want to voice many grievances. Their anger is caused not so much by the relentless use of tear bombs, because this is only a manifestation of the very nature of the present political regime. What really infuriates them is that after longing for true democracy and universal suffrage, self-management of their own affairs and a high degree of autonomy for so many years, they now find their hope totally dashed.

The National People's Congress (NPC) has openly broken its promise, and this will in turn lead to one ill-consequence in the long run: the deep-rooted problems in Hong Kong over all these years will remain unresolved and even deteriorate. These deep-rooted problems are collusion between the Government and business, the disparity in wealth, the declining of the middle strata, the lack of opportunities for young people and even the gradual pollution of Hong Kong's values and governance by the communists or the Mainland, which will see the introduction of the worst practices in the Mainland to Hong Kong. Hong Kong is already sinking, no longer able to recover. It was precisely due to such a sense of crisis that people first stood forward. Now that so many days have passed, momentary fury is of course no longer the reason for their staying behind. Rather, all is because they can see the crisis facing our present generation and a more miserable situation that will befall the next generation. They think that if they still do not stand forward today, they will owe the next generation an explanation. Today, many Members still offer many reasons in an attempt to explain away what have happened, and they even lay many charges against the masses participating in the campaign. Members who advance such reasons must be shameless, if not ignorant, and they are insulting the wisdom of Hong Kong people. How can they have the face to advance such low-level arguments?

When Mr Ronny TONG responded to Mrs Regina IP's theory on democracy just now, he said that she was a student of politics. Sorry, Mr Ronny TONG, you are wrong. She was not a student of politics but a student of literature. She only "studied" politics for two years after her failure to push the enactment of legislation to implement Article 23 of the Basic Law. But I do not think that she was a hardworking student of politics either. For example, her dissertation adviser, Larry DIAMOND, and other academics have recently visited Hong Kong and published a very important essay on the definitions of international criteria and unreasonable restrictions. But I do not think that she has ever read the essay. Or, perhaps, even though she has done so, she cannot understand or simply refuses to understand. Unreasonable restrictions, that is, reasonable restrictions in respect of nomination, will precisely lead to bogus universal suffrage. In that case, what is the point of having "one person, one vote"? North Korea also practises "one person, one vote". Iran also practises "one person, one vote", you know. And, how can she make any comparison with the primary elections in Western democracies? Well, therefore, I really do not want to refute her arguments any further.

Just now, there were other arguments which were even more ridiculous, and I was made totally "speechless" by them. Mr LEUNG Che-cheung, for example, said that umbrellas could also be offensive weapons. If he is right, then we simply do not know how many people must be arrested. The possession of offensive weapons in public places is an offence under the Public Order Ordinance, and there are precedent cases of immediate imprisonment. So, he was actually talking about a very serious offence. But he also said that people's hands and legs could also be offensive weapons. What this means, in other words, is that you may arrest practically anyone you do not like. But, very sorry, apart from describing such low-level criticisms and rebukes as ignorant and shameless attempts to smear the participants in the present campaign, what else can we say?

Deputy President, I agree that the outbreak of this campaign and what have since ensued are not the same as the earliest scheme or plan drawn up by the advocates of Occupy Central. But as Members all know, the whole thing actually occurred because the Government adopted many outrageous policies that caused the eruption of public grievances and discontent. All these happenings could not possibly have been covered in our planning. For example, when students entered Civic Square that day, they were basically peaceful. Admittedly, they did climb over the three-metre fence, but while the act was a bit dangerous, it was basically peaceful. Nonetheless, the Police arrested the students, and Joshua WONG was even detained for nearly two days and released only after applying for a habeas corpus. This Government is really outrageous!

One more thing is that several Members (including Ms Emily LAU, Dr Fernando CHEUNG and me) and Prof Joseph CHENG only wanted to transport some sound equipment to the outside of the Government Secretariat for holding an assembly on 28 September. If the Government had not put up so many hindrances … They first arrested the five of us, then sealed off the whole section of Tim Mei Avenue, and even more outrageously, they simply closed the footbridge outside Admiralty Centre. In doing so, the Government was courting trouble for itself. After the closure of the footbridge, many people who were angered by the delayed release of arrested students and the impounding of the sound equipment wanted to come over, but they were all forced to tail back to Admiralty MTR Station. And, Members all know what happened as a result. When people found that the two sides of the footbridge was closed and they could not use the footbridge, and when they also saw that the Government and the

Police were about to take clearance actions, they simply responded by rushing onto the carriageways. They were actually forced onto the carriageways by the Government and the Police. And, the subsequent use of tear bombs by the Police even led to the spreading of the whole campaign. The blossoming of the campaign everywhere was caused by the Government and the Police themselves.

Deputy President, subsequently, when seeking to handle the situation, the Government realized that it had lost the support of public opinions and people's trust, so it did not dare to take any clearance actions. Many people said that it was not right to occupy any public places at any time or to stay behind in whatever forms. But we replied that we always upheld the principle of non-violence. We adopted peaceful means to respond to any police strategies and handling. Of course, we would not co-operate with the Police. But we would not resist them using force either. We were no match for them. Could our umbrellas resist their rubber bullets, or even real guns and bullets? This was simply impossible, right? We were prepared to face the consequence, but the Police did not dare to act, thus leading to one situation. We could see that in Mong Kok, people in black and people in red all came out. Mr CHAN Chi-chuen gave a very good description just now. He was at the scene, and he noticed that it looked like all those gangsters knew very clearly what they wanted to do. Their use of force, or even violence, was well-co-ordinated and condoned. What am I talking about? I am talking about outsourced violence. What I mean is that since they themselves could not resort to such violence, they simply outsourced the job. Well, when even the use of violence is outsourced, how can Hong Kong still survive? If the Police does so, how can there be any high morale among policemen? Luckily, the first day when such blatant condoning of violence occurred in Mong Kok, there was immediate public outcry all over Hong Kong. Therefore, as I can remember, on the second and third days, those with powerful backgrounds began to stage a drama in which they attacked one another. Some of them wore blue ribbons and others yellow ribbons. Then, they staged a drama and attacked one another. One day later, some people wearing yellow ribbons charged at the policemen at the scene. But these people were not our people. Our people all observed order and discipline. They all sat on the ground in the occupied area quietly and with self-restraint, reading, talking and listening to speeches. Whenever anyone came near to provoke them or swear at them, they would sing the birthday song. All was so simple.

Deputy President, according to some Members, the present campaign has aggravated the splitting of society. This is certainly true. But the Government must bear the primary responsibility, the main responsibility, because the Government (including LEUNG Chun-ying) should serve as the leader of the whole community and seek to resolve the matter in a civilized and reasonable manner. Most importantly, communications and dialogue should be adopted. And, he should also realize that he is the representative of Hong Kong. He should know how strong public opinions are. After the referendum on 22 June, after the march on 1 July, and after the present Umbrella Movement, he should realize the strong public aspiration to universal suffrage. Why is he still reluctant to have dialogue with students and submit a supplementary report to Beijing for re-opening the issue of constitutional reform? These are all the basic things he must do. We know that he is not capable of doing certain things, such as asking the NPC to withdraw its decision. But why does he even ― I would not say "speak on behalf" ― He has the responsibility to reflect Hong Kong people's voices clearly to Beijing to say the very least. But he has even failed to discharge this basic responsibility. What is the point of his staying behind?

Mr CHAN Hak-kan asked us to look at the fine example of Scotland. They shook hands after voting and remain good brothers and sisters. Their relationship is not affected. But this is precisely because they have a civilized democratic system. Mr CHAN Hak-kan, do you understand? Would you agree that we should hold a referendum to resolve the matter? But the holding of a referendum must have the consent of the Government and Beijing. In that case, I believe all people will withdraw peacefully. The solution is for Beijing, the Hong Kong Government and the people to agree on whether the NPC should withdraw its decision to allow the implementation of genuine universal suffrage in Hong Kong. Is that clear to you?

(Mr CHAN Chi-chuen rose to his feet)

MR CHAN CHI-CHUEN (in Cantonese): Deputy President, I request a headcount.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr Paul TSE, please speak.

MR PAUL TSE (in Cantonese): Deputy President, our debate today should, strictly speaking, be about issues relating to the handling of the crowd or people's assemblies by the Government or police officers since 26 September. Many Honourable colleagues have already spoken at length about the historical background and causal relationships of the incident, but considering the time constraint, I would still focus my speech on these perspectives.

Deputy President, I would also like to make it clear from the outset that we have, before us, a dilemma, and we must strike a balance between the protesters on one side, who are mostly students, and on the other side, law-enforcement officers of the Police. Under the circumstances, the crux is not about one side being absolutely right or wrong as both sides might have done right or wrong things at some point of time. Hence, I hope … I would like to thank and welcome Mr Ronny TONG for joining the meeting again. As we said before ― at least I would like to reiterate time and again ― that we must cool down the incident. At present, it is most important to cool the incident down. Moreover, given the division in our society, any matter could be interpreted as some … any idea would have its fair share of supporters and opponents. Under the circumstances, I can only try my best and avoid using sharp rhetoric. I hope we can all do as I said, that is, to cool the incident down.

Deputy President, let us look back at the development of the entire incident over the past 21 days, including the numbers of protesters as well as the number of police officers or law-enforcement officers involved. A number of incidents have also happened during the period. Most importantly, we must consider the entire incident against a highly charged background, that is, a highly explosive and heated background.

Deputy President, Mr Alan LEONG talked about cause and effect in the beginning of his speech. I will also try to speak on cause and effect. Of course, I am not going to start talking from the time of Adam and Eve for such a

discussion on cause and effect would have no end. Instead, let us consider some immediate causes. For instance, some friends from the media had asked why … For instance, we are particularly concerned about the incident involving a member of the public being assaulted by seven police officers. Why did that person become the target? Of course, no conclusion can be drawn at this stage, and what we saw might just be half or part of the truth. I hope we can consider the entire incident, particularly the relevant background, from a more objective and rational perspective before forming an opinion.

Secondly, I would like to talk about the characteristics of the Police. Some Members may have friends and relatives working in the Police. In general, I think it is by and large an accurate description to say that most police officers are manly men who aspire to contribute to society by punishing evil-doers and enforcing the law. Regarding female police officers, they have a relatively strong sense of justice and want to be treated equally as their male counterparts. Under the circumstances, police officers will have certain values regarding the judgment of right and wrong. They should and always have a line drawn, especially when it comes to whether an act is lawful or otherwise in law.

When enforcing the law, police officers may have to face some acts which they consider to be illegal or unlawful according to their values, yet for a long time, they have been under restraint and disallowed to take enforcement actions as they considered appropriate. Meanwhile, some people have been constantly provoking the Police through verbal attacks or physical actions. Under the circumstances, the Police are being cornered to stand a major test. As we have seen in police and gangster movies, the main characters are usually valiant and kind-hearted police officers with a strong sense of justice and commitment. Yet they are invariably made to take the blame for others for they are often the ones … As we have higher hope for the Police to enforce the law courageously with a greater sense of justice, they are more prone to stepping over the line in the course of law enforcement. That is the general idea we get from watching many police and gangster movies.

Separately, in modern society, the media, or perhaps I should say each member of the public is part of the media because anyone with a mobile phone can always film the law-enforcement actions taken by the Police. As such, intangible yet enormous pressures would be created. Of course, on the plus side, police officers would become more self-conscious and restrained. But the downside is that whenever a police officer puts on his uniform and arrives at the

scene, he will be under round-the-clock surveillance. I mention all these to illustrate the objective pressures exerted on police officers.

Deputy President, the current society of Hong Kong, though not as severe as the situation in 1967, is definitely facing one of most critical moments since the reunification. Just like playing the ouija board, nobody is certain about the way forward and the final outcome after the spirit has been summoned. Everyone wants to have a go, yet nobody is taking responsibility. Under the circumstances, we should become more vigilant, particularly as many Honourable colleagues have pointed out that society has reached a critical point. What is so horrible about reaching a critical point? It is alright for students and teachers to give up schooling and teaching. It is alright for ordinary wage earners or small business operators to give up work. They can give up everything. It is alright even if some Honourable Members or civil servants participate in activities which they consider to be striving for people's rights and social justice in their own leisure time.

What I am most worried about is that when society reaches the critical point, the Police would consider that they have had enough. As a result, some or a handful of police officers might become over-sensitive or they might over-react when enforcing the law such that they might act in ways that would be condemned by the public immediately. Moreover, they might be subjected to criticisms which do not necessarily reflect the whole truth, or even some over-the-top labellings, such as describing them as "black cops", lawless, and so on. I am quite worried that people might sometimes have the mentality that "he might as well be hanged for a sheep as a lamb". This is a hidden worry. I am more concerned about "rebellious cops" than "black cops". When police officers become rebellious, they might just take off their uniforms and take to the streets, just like some teachers who give up teaching. Under the circumstances, Hong Kong society will become even more uncontrollable.

Hence, notwithstanding the strong public outcry and roaring demands of Members, I understand why officials of the Security Bureau as well as some senior government officials cannot casually agree to immediately conduct criminal investigations against the police officers concerned at this stage when investigations have yet to be conducted according to the established mechanism. I am not talking about who is right or wrong here. I just want to point out the hidden worries, particularly when some media organizations have irresponsibly exposed the identity and background of the police officers concerned. On the

one hand, they criticized the Police for imposing extrajudicial punishment, yet they were also doing the same. In this way, the police officers concerned would be under trial and condemned forever. I think we should be most careful to avoid such an eventuality.

Deputy President, pardon me if I digress slightly to talk about the movie The Judge which incidentally premieres today. The story is about a retiring judge who has been serving dutifully in a small town for decades. In handling one of his cases, the judge passed a lenient sentence on the convict. But after serving his sentence, the convict killed a young woman involved in the case. When they met years later, the judge was taunted by the convict who also teased the woman he killed. Saddened by the death of his wife on the same day, the judge was so infuriated that he thought of killing the convict and he eventually did so. Even a judge can act like this. We should not underestimate the terrible reactions that people may have in face of provocation as this is something nobody can control.

A few weeks ago, I was fortunate or unfortunate enough to handle a case involving a client who wanted to divorce his wife. But when the couple discussed the matter at home, they had some verbal … some exchanges ― as the case is still in process, I cannot say too much ― because of these exchanges and some later events, the client subsequently came to our law firm and told us that we needed not follow the case because he had already dealt with it. "Till death do us part" ― that is all I can say. But this case reminds me that things can happen to the most rational persons if under extreme provocations.

Mr Ronny TONG, who has left the Chamber, also said half an hour ago that when he saw Chief Executive LEUNG Chun-ying's interview on the programme On the Record, he had an impulse to smash the television set. If Mr Ronny TONG was forced to listen to LEUNG Chun-ying 14 hours a day for 21 consecutive days, I think many television sets would be smashed. That is human nature. Everyone has a Brokeback Mountain in them; everyone has their own "inner demons"; and everyone can act on impulse. I think we should bear this in mind when considering the events that happened over the past 20-odd days, including the protesters who have a rough time sleeping on the streets while braving the sun and rain, as well as the police officers who are responsible for upholding and enforcing the law as part of their mission and statutory duty. With this mentality, we should give both sides some space and opportunities.

Just now, Mr Gary FAN quoted the words of GANDHI about solving the matter by the way of truth and love. I hope this holds true not only for the majority of our peaceful protesters, but also the majority of our lawful, dedicated and devoted police officers. I hope we can consider the incident by the way of love, reason and truth, instead of arriving at some hasty so-called conclusion merely on the basis of patchy information.

Deputy President, as I just said, we are now at a critical moment. We are playing a game of ouija board. Everyone is placing their fingers on the planchette, some with bigger fingers and some smaller. It is critical as to how the planchette will move about. Will our society be doomed eternally, using violence to stop violence, or can rationality and calmness prevail after everyone has made clear their own stance, so that the incident can be cooled down to allow for further discussion? We cannot resolve some questions by illegal road occupation. In handling some problems, we need to take a step back temporarily, and after displaying one's strength and reviewing the strength of the other party, we can start all over again. All in all, we should strive to cool down the situation. We should not instead stir up further trouble with words or deeds. Talking about stirring up further trouble, I think it holds true not only for members of the public and students who continue their fight in the streets, but also all Honourable Members. At this moment, leaders of society, people's representatives in the Council or our so-called "friends of the media" are all duty-bound to speak sparingly and gently if we really want a better future for Hong Kong. I hope we can deal with the issues one by one after the situation has been kept under control.

Otherwise, as we saw yesterday, many social workers were gravely concerned about our society and I also understand their anger, but if at this point of time, knowing that it was not necessary for so many people to report crime, they still gathered at the Police Headquarters and lined up to report crime, hoping to exert pressure on the Police or even to harass or create trouble for the Police, I hope we can all reflect on the meaning of such actions. Are they helping the society regain justice, love and rationality, or are they just going the opposite way?

Deputy President, just now I mentioned that sometimes, human nature must be handled with great care. At this time, we should be more tolerant to protesters, law-enforcement departments or any friends around us. Of course,

these words might be meaningless now as the war is still going on. But it takes a long time to resolve the problems of Hong Kong. We may not resolve right away many political disputes, Mainland-Hong Kong conflicts, as well as our perception on the governing team, including the Chief Executive, senior government officials or even the Police responsible for law enforcement. Nonetheless, I hope every member of the public, all Honourable Members and all friends can bear in mind that our words and deeds will have an impact on the ouija board. We can always choose to steer the matter towards a solution, and we can do so by not creating further unnecessary trouble.

Lastly, I would like to say a few words about the different handling approaches. Some people queried why criminal investigation is not conducted immediately or why the police officers concerned are not arrested for criminal charges? I would like to point out that since its inception, the so-called Occupy Central has been unlawful from the legal point of view. There is an established mechanism to handle cases involving the use of excessive force by the Police in the course of law enforcement. The situation is different from cases of misconduct involving police officers under normal circumstances, for example, complainants being indecently assaulted or raped by police officers in police stations, or imposing extrajudicial punishment, and so on. Under the circumstances, for the sake of upholding the Police's morale and maintaining some sort of order in Hong Kong, I can understand why the present allegations must be handled with extra caution so as to avoid creating further unnecessary trouble.

MR JEFFREY LAM (in Cantonese): Deputy President, Hong Kong's status as an international financial centre is not built on demonstrations, protests and words, instead it is built on the efforts made by a few generations of people, our sound legal system and the core value that we have been guarding, that is, the rule of law.

Deputy President, in the past 19 days during which the illegal Occupy Central action took place, protesters illegally occupied roads in Admiralty, Causeway Bay and Mong Kok and there were a lot of conflicts. The community has divergent views, some said that the Police were using excessive force, and others even said that the Police were colluding with the triads. However, from what I saw, protesters charged at the police cordon lines in an organized manner.

Which information is true and which is false? I believe we need to provide comprehensive footages for reference by the public. Yet, I do not think there are comprehensive footages or complete reports in the past two weeks for reference by the public.

Deputy President, the illegal Occupy Central action is very different from marches held in the past. Over the past few years, despite the numerous political marches held in Hong Kong, almost on a weekly basis, most of the protesters expressed their aspirations peacefully. Therefore, the marches in the past were held peacefully.

However, today the Occupy Central action enters the 19th day. Apart from obstructing traffic, the protesters have seriously affected the lives of Hong Kong people. Residents living in the occupied areas cannot sleep well because of noise nuisance and they have difficulties in getting about. Most small and medium retail and catering operators in the occupied areas are living from hand to mouth. If the Occupy Central action drags on, I believe they will not have money to pay rents as well as the wages of employees. What are they going to do? They can only wind up their business.

A few days ago, Occupy Central protesters reinforced barricades on the major roads of Hong Kong, using cement, bamboo poles and even drain covers. All these are organized and planned actions. If a fire breaks out or if someone needs emergency service, fire engines and ambulances can hardly arrive at the scene. You can imagine that people who are in need of emergency service or who are affected will be victimized. All of us do not want to see that happen.

Deputy President, on the first day of the illegal Occupy Central (28 September), students and most of the protesters staged a peaceful protest. Nevertheless, we saw on television that protesters standing in front of the Police charged at the police cordon lines time and again; some of them attacked police officers with umbrellas while some others kicked the police officers. Under such circumstances, could the Police defend the cordon lines by merely holding on the mills barriers?

Deputy President, since the outbreak of the Occupy Central action, our society is divided. There have been frequent scuffles between pro- and anti-Occupy Central protesters, and some even accuse the Police of colluding

with the triads. Is that true? At the House Committee meeting held last week, Mr Albert HO said that we should never say anything illogical if there was no evidence. Hence, if anyone talks nonsense which is not backed up by evidence, he is spreading rumours to create troubles, bringing greater chaos to our society. Thus, we should be rational and tell the truth.

In his opening remarks, Mr Alan LEONG talked about cause and effect. I sometimes discuss with Buddhists and read Buddhist scriptures. To put it simply, karma guides people to perform good deeds and everybody wants to achieve enlightenment. To reach this stage, it is of vital importance not to tell lies, for if one lies, he can hardly achieve enlightenment. If a person only tells certain facts but conceal the others, he will mislead the public and this will also affect his spiritual state. When we saw scenes of scuffles, we should first find out which group of people started to charge at others. For example, a group of protesters first charged at the Police on 28 September, they were thus pepper-sprayed, leading to a series of incidents. We should tell the truth; we should not release some information and conceal the others. This will mislead the public and the masses; is this not lying?

At present, our society is apparently divided. Many people, including some Members, make use of public opinion to accuse the Police one-sidedly, and they have even made comments without hard evidence. This would only undermine social harmony and further tear the community apart.

Deputy President, we saw on television that the largest number of conflicts occurred in Mong Kok. As the pro- and anti-Occupy Central protesters thrust one another, police officers had to move to the front and separate them. They were sandwiched between these two groups of people, and one policeman was hit on the head by a stone and he received five stitches at the hospital. Deputy President and I visited him the other day and we learnt that his wife gave birth last month. As husband, should he spend more time with his wife during her postnatal period? However, that policeman cannot do so; instead his wife worries about him every day, especially after he was hit on the head by a stone. According to Inspector TSANG, after the outbreak of Occupy Central, he can at most stay home for a few hours each day and some of his colleagues have not returned home for a few days in a row. I believe their family members are really worried. Nonetheless, Inspector TSANG told me that, as police officers, they must hold fast to their positions and maintain political neutrality; they must fulfil

the professional duties of the Police and take enforcement in accordance with the law, so as to maintain social order and ensure public safety.

Deputy President, just think, the Police are scolded by the protesters every day, and sometimes they are driven away by the protesters. However, when the protesters are having scuffles with other people, they say that the police force is insufficient or the police officers arrive at the scene very late. Is that fair to the Police and the police officers? Are they "turning to people who are helpful but not pleasing in difficult times, but abandoning them in happy times"…

(Mr Albert CHAN stood up)

MR ALBERT CHAN (in Cantonese): Deputy President, as the Member's remarks are so touching, please invoke Rule 17(2) to summon more Members back to hear him talk about the plight of the Police.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr Jeffrey LAM, please continue.

MR JEFFREY LAM (in Cantonese): Deputy President, the cornerstone of democracy lies in mutual respect, mutual tolerance and mutual compromise. I respect young people who express their ideas about the future of society, but Occupy Central is an illegal action which has already seriously affected the lives of Hong Kong people. Apart from the freedom of election, people should also enjoy the freedom of using roads, having normal work and rest schedules and normal business operation. Only in this way can public opinion be effectively expressed under a democratic system.

Occupying roads, charging at government organizations and the police cordon lines are illegal acts, and it is the bounden duty of the Police to maintain

order in accordance with the law. The Hong Kong Police Force plays a significant role in ensuring that Hong Kong is one of the safest cities in the world. At present, the Police have to maintain public order and safety on the one hand, and handle the raging public sentiment on the other. If they are unreasonably accused, their morale will be further undermined. They may fail to effectively enforce the law, and ultimately the whole community will suffer. Hence, we support the Police in taking enforcement in accordance with the law.

I do not wish to see Hong Kong being further torn apart and I also do not wish to see continuous social division. I hope that the protesters would exercise restraint and that the organizers would no longer call upon the protesters to commit illegal acts by occupying roads and obstructing traffic. The incident should be resolved rationally. I believe that most Hong Kong people would like to see an early conclusion of the Occupy Central action and restore social order. In order to reflect that all Hong Kong people love peace and oppose the illegal Occupy Central action, we should cherish this opportunity of a constitutional reform and take a historic step forward, so that 5 million voters can elect the Chief Executive by "one person, one vote" in 2017.

Lastly, I hope that we can all achieve enlightenment. I hope that Mr Alan LEONG would understand that a lot of things have to be done before reaching this state. All of us should be honest and tell the full story, and we should not tell false and incomplete stories to mislead the public. We love peace and we would also like to see further economic development in this peaceful society.

Deputy President, I so submit.

MS STARRY LEE (in Cantonese): Deputy President, Hong Kong has been renowned for its rule of law, and our society is so safe that people need not worry about hanging out at night. Looking around the world, not many safe shelters are available even in developed western countries. The fact that Hong Kong has triumphed as one of safest cities in the world is largely credited to the Police. While good social order and low crime rate are key factors that help attract foreign investments, talents and tourists, the Police is an important force safeguarding the rule of law and social stability.

Today, before discussing how the SAR Government and the Police deal with the Occupy Central incident, we should look at previous enforcement

records of the Police in handling people's assemblies. Under the protection of the Basic Law, Hong Kong residents enjoy the freedom of assembly, and after the reunification, there have been numerous demonstrations day after day, month after month and year after year. Regardless of the size and purpose of the processions, they generally proceeded in good order and have not caused serious chaos. Protesters are peaceful and rational whereas the Police's professional enforcement has been greatly affirmed locally and internationally.

Earlier, many Members strongly criticized the improper handling of the Police, and even smeared them for colluding with the triad society. Such accusations are nonetheless lopsided, unfair and half-true. They only stressed police enforcement without mentioning the illegal Occupy Central movement; they only stressed the Police's firing of tear gas without mentioning how the protesters provoked and charged at police officers; they only stressed the protesters' peaceful struggle for justice without mentioning the Police's duties to restore social order through restrained enforcement actions. Such partial allegations without mentioning all the facts would further undermine the Police's will to enforce the law and dampen their morale. If the Police's will of enforcement is weakened and the morale is down, continued Occupy Central action will only create more chaos. Violent acts and disputes will probably intensify when Occupy Central opponents lose self-control. In the end, the Hong Kong society will suffer.

Deputy President, what leads to the series of images shown on television immediately after Occupy Central organizers announced the early launching of the campaign at the midnight of 28 September? I think all Hong Kong people have the answer. Here, I would like to share with Members the editorial of *Ming Pao Daily News* on 29 September, that is, the day after Occupy Central was kicked off. "The current struggle has spun out of control and gone to a state beyond imagination. Some people blamed the protesters for charging at the police cordon lines, while others condemned the Police for using excessive force. The authorities have yet to explain if it is appropriate for police officers to fire tear gas when they were chasing after the protesters. But given the development of event that prompted the Police to suppress the crowd by firing tear gas, it would be more convincing to describe it as an outcome of interaction. If the erection of mills barriers could guard against the protesters' storming, I believe that the Police would not have ordered the duty officers to use pepper spray. If pepper spray could force the protesters to retreat, I believe the roads would not have been filled with tear gas smoke. The scenes captured at the roads of

Central, Admiralty and Wan Chai yesterday have reasonably depicted the interactive outcome between the Police and the protesters. Furthermore, many of the injured were police officers, revealing that the duty officers were also having a hard time during the conflicts. If someone is to be blamed … the answer is definitely not the Police or the protesters."

After all, though some protesters have behaved in a peaceful manner, the entire Occupy Central action aims to permanently occupy major trunk roads of various district with illegal means to paralyse local transport and the operation of the financial centre as well as disrupt social order, with a view to threatening the SAR Government and the Central Authorities with these destructive actions. This approach of destructing good and bad alike is, by nature, not peaceful at all. No matter how good the personal or political intention of the participants is, they have undoubtedly breached the law. Therefore, as a law-enforcement agency, the Police have no choice but to discharge their duties by expeditiously restoring social order. In the course of dealing with illegal assemblies, despite the fact that some protesters did raise their hands, they kept charging at the police cordon lines. They kept pressing forward and shouted foul language at police officers. Notwithstanding that, the Police continued to diligently discharge their duties in a restrained manner in the face of the demonstrations, and this deserves our due recognition.

Next, Deputy President, I am going to denounce the Occupy Central organizers. The society at large has paid a high price for the Occupy Central movement, which has brought huge economic losses to various sectors and great inconveniences to members of the public. At that time, Occupy Central organizers vowed that the movement would be called to a halt once it went out of control, but they now admitted that they are unable to stop the movement as it has evolved into a self-initiated mass movement without any leader. In other words, the entire Occupy Central movement is not led by anyone and has plunged into a very dangerous state. Worse still, the movement has shattered Hong Kong's spirit of rule of law. During the Occupy period, many netizens and participants claimed that since it was a struggle for social justice, the Police should refrain from taking enforcement actions against such illegal acts.

However, a friend from the legal sector has expressed grave concern about this argument for righteous crime. Worrying that righteous crime will deal a serious blow to the rule of law, he has written an article on this issue, and I now share part of the contents with Members: Some people consider it justified to

blatantly break the law for a righteous cause in the face of government suppression; this is a very dangerous stance. Whether the Government has done right or wrong is a subjective judgment of a person, and political issues should be resolved through a political mechanism. It is definitely inappropriate to resolve political issues or achieve political ends by using illegal means, including violent acts. If this is the case, a person who subjectively thinks that the Independent Commission Against Corruption, the Police, the Customs and Excise Department or the Securities or Futures Commission has done injustice or made mistakes can charge at these departments by illegal means. Everyone is equal before the law. If that person can be exempted from prosecution due to political considerations, it would be unfair to Occupy Central protesters if the Government has decided to arrest them because of other considerations. By the same logic, does it mean that the minority law-breakers can claim innocence whereas the majority cannot? Can people breaking the law at night claim innocence while those breaking laws during daytime cannot? Are people guilty if they obstruct the streets and not guilty if they do not? Does it mean that non-violent law-breakers are not guilty while violent law-breakers are?

This kind of right or wrong judgment should not be made by politicians, the media, protesters or members of the public on a subjective basis. Only the Court has the absolute right to adjudicate; if not, the foundation of Hong Kong's rule of law will be seriously upset. The problem is serious in that people needs not comply with the law. The question of right or wrong, legal or illegal, guilty or not guilty, is to be decided by individuals, and this will give rise to private laws, family laws and street laws.

In the face of challenges posed by righteous crimes or disobedience on the rule of law, I think people from the legal sector know very well why so many Members and academics with legal background have not cried out loud and explained such facts to members of the public and students. Should we let passion override sensibility in the fight for civil nomination? Should we sacrifice the system, non-violent rule of law and social order which Hong Kong has built up over the century or so to fight for the kind of democracy that does not comply with the Basic Law or the principle of "one country, two systems"?

Deputy President, many young people and students are still staying in various occupied areas. I wish to take this opportunity to tell them ― as I have said openly time and again ― the community has heard their voices and history will reckon what they have done. It is now time to go home. I have openly

pleaded students time and again to leave as early as possible, and called on leaders of opponents, including the media and all Honourable Members present at this meeting, to remind students to stay away from the dangerous areas for safety's sake. They should not push our young people into the fire as they are our future. In case a gun goes off accidentally, the consequence would be unthinkable. Hong Kong is experiencing the hardest time and the entire community is obliged to avoid letting today's passions become tomorrow's regrets.

Deputy President, I would like to share with Members an open letter written by a secondary school principal to his students and this letter has been widely circulated on the Internet.

"Dear students,

"Do you want me to express my view on Occupy Central? Sure!

"Firstly, Occupy Central protesters consider that only the Government and the Police are their enemies, they are not aware that people whose life and even livelihood have been affected will sooner or later become their enemies as well. This line of thinking can be easily followed by simply answering one question: How many of the Occupy Central protesters live in Mong Kok, Tsim Sha Tsui, Causeway Bay or Admiralty? That is to say, are they staging protests in front of their homes and bringing inconveniences only to their families? How many Occupy Central protesters have their income involuntarily 'confiscated' and suffered heavy losses? Has the kind of thinking 'You will not and are not allowed to voice opposition even if I stage peaceful demonstrations in front of your home without your consent' or 'I protest, and you foot the bill' fallen into a fallacy during the planning stage of Occupy Central? For example, if you hold a class strike to fight for democracy at the Sung Tak Playground, I think kaifongs in the neighbourhood will not oppose but even sing praises of you. However, if you choose to hold the class strike by occupying the Hung Shui Kiu Subway, thereby forcing the residents of Hung Shui Kiu to detour … a certain distance and cross the road using other road crossing facilities … Will it be more prone to have conflicts as time goes by? Resolving problems through violent means is no longer an option in today's civilized world, and would be ditched by Hong Kong people with contempt. As some people have vowed, 'loving the country does not necessarily mean loving the Party', then following the same line of thinking, does 'supporting democracy does not necessarily mean support Occupy Central,

teachers' strikes or class strikes'? Honestly, I do not support any political movement that will destruct the good and bad alike and lead to a 'lose-lose' situation.

"Secondly, the thought that Occupy Central protesters represent public views is another fallacy that they have fallen into. This explains why the community is so divided today. The fact that relatives, friends, church friends, colleagues, classmates, family members, married or unmarried couples broke up has proved me right. If people continue to adopt such a confronting stance and distinctively separate friends from foes, I fail to see how democracy can possibly exist in Hong Kong in future. On the contrary, hatred and resentment will intensify. If democracy lacks mutual respect, mutual listening, mutual accommodation, mutual acceptance and mutual compromise, and rule by one man prevails, it is nothing but 'another kind of autocracy' and is not worthy to be regarded as democracy.

"Lastly, adults should be well aware that Occupy Central will eventually cause chaos. It is only a matter of time and the degree of severity. To make a rough analysis, if Occupy Central opponents are merely fighting for their personal 'interests', they will immediately retreat once the threat of their interests diminishes. However, if the students are really fighting for their 'ideal' with great devotion and compassion and will not quit till their demand is met, history tells us that the fight will end up in bloodshed or even with loss of life. When the Cultural Revolution was about to end, even MAO Zedong failed to stop the factional militant sparked by the Red Guards. The incident finally ended by the suppression of the army. This is indeed the best example. During the Cultural Revolution, if you asked the Red Guards whether they had done anything wrong, they would definitely told you that they knew very well what they were doing. But if you asked them again whether they had done wrong after the Cultural Revolution, I think the answer is clear to all … It is not easy for the general public to see the dark side of political struggles, let alone secondary students whom we have tried hard to protect. Come to think about it: Who will get the greatest benefit if Hong Kong plunges into chaos? Who will get the greatest benefit if China plunges into chaos? This is a question that is well worth thinking about.

"As educators, we are duty-bound to protect students from being hurt. Judging from the current quagmire, we should remain steadfast and help solve the problem at root, while refraining from adding fuel to the fire.

"Today, I hope students will settle down and review what they have learnt over the past 10 days or so, including their political awareness; let such awareness sink in and turn into the provision which enables us to climb higher and further in the future. In case you want to make contribution to your society and country, remember that it takes time to cultivate a selfless heart; build up solid knowledge; have a broad vision and mind; develop a sound analytical mind; remain calm and clear-headed; seek common ground while holding back differences and build a humble learning attitude. Seedlings must be carefully cultivated before they can grow, and haste will only make waste."

I hope students will go home in a calm and rational manner, and keep what they have learnt this time in their hearts. I believe people from all walks of life should continue to work hard to put Hong Kong on the road to democracy. Simply sitting on the streets can never help Hong Kong pursue her unique road of democracy.

Deputy President, I so submit.

MR LEUNG KWOK-HUNG (in Cantonese): Deputy President, I was quite touched after listening to Ms Starry LEE's speech. If she could fully represent the views of the Hong Kong people, or if she had not proposed to the Standing Committee of the National People's Congress (NPCSC) or the "constitutional reform trio" the requirement for candidates to obtain the endorsement of over 50% of nominating committee members to get on the ballot for the so-called "one person, one vote" election of the Chief Executive by universal suffrage; had she done so earlier, the present situation might not have happened. Every injustice has its perpetrator and every debt its creditor.

The most awkward and unsightly action which no one dared to take was to propose publicly to the "constitutional reform trio" that the nominating committee should follow the former practice, that is, to set the threshold of candidacy for the 2017 Chief Executive Election by "one person, one vote" at the endorsement of over 50% of members of the nominating committee. Who had actually put forward this requirement? Can this be called rational? Which country has such kind of election system? Which country has a system that allows a handful of persons to pick the candidates for all other people? She is so rational. It would be wonderful if she was so rational then. Since they were so irrational,

they asked Robert CHOW to put on a "big show", thinking that the public would then stand on their side. Honestly, people had divided views. They selected Robert CHOW and the like to hand out money and allowed anyone to sign, so that they could, after obtaining 1.25 million signatures, tell the Chinese Communists that the public were on their side and they could beat the other side anytime because they only got 800 000-odd signatures. Was this not competing for public support and were they not misleading the people? Were ZHANG Xiaoming and they conveying a wrong message? That is what she said, and I find it absurd as they are the ones who start all the trouble.

Frankly speaking, if they did not put forward such an outrageous proposal and told the NPC that the proposal would certainly be passed without any disputes because the public were on their side … However, at the meeting on 1 September, I made the comment that "the NPC does not represent me and people of Hong Kong want universal suffrage". LI Fei already said that after the NPCSC's resolution was passed, the Hong Kong SAR Government and those in support of Beijing had to reflect the public views in support of the framework laid down by the NPCSC because he thought that they represented the majority's views. What had they done during the period between 1 September and 28 September? Did they not feel shameful? After LI Fei made those comments, I had another meeting with ZHANG Dejiang. He made a deep impression on me as he wore a blue tie. He said the same thing. Honestly, I would not bother to hold them accountable as I am not a member of the Communist Party, but if it was not dereliction of duty on their part, how would the situation come to such a state today?

Second, concerning police violence, I had personal experience. First of all, it is an obvious fact that they practise favouritism when enforcing the law. When students of the Hong Kong Federation of Students (HKFS) and Scholarism and I charged into the civic square, we might have broken the law, but the Police only encircled us and made no arrest. Actually had they cleared the site at once, the problem would have been solved, but they trifled with the young people who stayed outside the square by using anti-riot shields and pepper spray. At that time, the Police encircled the people in order to lure others to come over and show support, and then they could all be suppressed. This was of course their tactic. The aim was to manifest police manpower, thinking that people would be intimidated and dared not attend the "banquet". That was their tactic. When I was taken away through the east wing entrance of the Central Government Office

(CGO), I found that the area was not under siege. At one time, I thought that the area was besieged by protesters and hence the Police were unable to take us away. But that was not the case. Their first strategy was to provoke the crowd to manifest police manpower, so as to scare off those who wanted to attend the "banquet", but that was a wrong move.

In addition, the Police had kept Joshua WONG and two HKFS members in custody for almost 48 hours. They wanted to keep them longer but the Court ruled against it. Then the Police got a warrant to search their homes, intimidating and threatening their family members. Will this not arouse public anger? I do not merely talk about firing tear gas; I guess people who watched television broadcast on that day would be infuriated. What right did they have to take such actions? They even did something not permitted by the Judge. When they besieged us, Benny TAI, CHAN Kin-man and their comrades were ready to bare their neck to the sword and surrender themselves to the authorities, but the Police did not clear the site and only encircled us, trying to make us wait till we died.

Buddy, when people came to support us, the Police at least told three lies. When people asked them if they were allowed to go inside the CGO, the Police gave a positive answer and said that they might go there via the Arts Centre or the Tamar Park. However, when people arrived there, the Police did not tell them that they could not go inside. Instead, the people were told that they could get inside and they made three attempts and walked for one and a half hours. When these people sat down to talk about what had happened, would they not be furious after learning that the Police lied to them? All crowd control tactics aim at dispersing the crowds, but now people gathered at one place instead. That was their mistake.

Thirdly, the Police was despotic. They fired a total of 87 tear gas canisters, and then they did nothing. They did not clear the protest sites. After firing tear gas, they stopped because someone made a phone call midway and asked them to stop firing tear gas. This was absolutely laughable. Was it LEUNG Chun-ying or someone else who ordered the Police to stop? Was it ZHANG Xiaoming? Actually, as the Police considered it futile to fire tear gas, they hence stopped firing. If the reason given was justified, and if the Police could not control the situation of people charging at them, the Police should kept on firing tear gas, 870 canisters or more; and at the same time, the Police should

hit the crowd with batons. But the Police did not do so. I have a simple question. Since he said many protesters used violence, please identify those who used violence among those arrested by the Police, and show us how they used violence. As a matter of fact, none of these people used violence.

What we saw was only that after a person was arrested, some police officers were on the lookout while others beat the man up. I would like to ask the Secretary … Secretary, please look at me. If some protesters encircle a police officer, disarm him and then five of them take turns to kick him while two others are on the lookout, will the Secretary arrest these people immediately? Of course, he will. These people would be charged for more serious offences, such as resisting arrest by a police officer in the execution of his duty, which is a serious offence, and assaulting police officers. This is an even more serious offence because the Police are responsible for maintaining law and order. However, if a police officer in uniform, I do not mean all police officers but just those few officers, assaults a person subdued, will he also be charged for a more serious offence? If members of the public insult … Nowadays, many people said that abusing police officers should be an offence … People expect police officers in uniform to enforce the law in an impartial manner, but if they assault people, shouldn't they be arrested immediately? Can they continue to take up certain posts? Can they be responsible for maintaining police-public relations, or picking up litters? Or should they be transferred? Secretary, just put yourself in other people's shoes, if you are commanding at the scene, will you say, "Those five protesters kick and punch my men, arrest them immediately, detain them and no bail allowed"? We just sat in the civic square and did nothing, yet Joshua WONG, Lester SHUM and Alex CHOW Wing-hong ― not ZHOU Yongkang in the Mainland ― were detained for over 40 hours. Most ridiculous of all, after detaining them for 40-odd hours, they were not arrested; and they were allowed to leave after a warning was given. I would not bother to talk about abuse of power … Deputy President, may I ask for an extension of my speaking time for 50 more minutes for I have too many examples to cite?

We are now holding a discussion here. In the so-called "occupied areas", is there any violent incident? They do not close the doors at night. Just go there to take a look. Where is the violence that they have mentioned? There are scuffles, but does it mean that our movement advocates conflicts? Ms Starry LEE said just now that a gun might go off accidentally. That is right because the public, especially young people, have accumulated their grievances for 17 years. Here I call upon young people not to fall into their traps or any other

people's trap. Our movement advocates peace, and we cannot use violence against any one. I hope that young people, including adults, will avoid doing anything that may likely provoke violence. Why do they set up barricades? That is because we are stopped by the Police during the process of disobedience and thus we have to act in disobedience at the scene. Therefore, I do not think we should waste our energy at this stage or take the risk of being smeared by the Police or manipulated by some unknown people and cause the so-called disturbances.

I now state openly that I hope everyone will remember the basis and principle of this Occupy Central with Love and Peace movement. We are not to overturn the regime with violence. On the contrary, we are to expose the brutality of this system through a peaceful means. Here I openly urge everyone ― I know that many people would criticize me after hearing what I say but I cannot help but say it here ― do not engage in sporadic and voluntary occupy road movements because that will give the Government and the Police an excuse for suppression. Deputy President, since the Occupy Central Trio are not here and cannot reply, I will reply on their behalf. They have never said they would shirk the legal liability for initiating this movement. They will gladly bear the legal liability. However, regarding the smearing acts against us, sorry, we will repay.

Deputy President, Ms Starry LEE asked the intellectuals to act out of conscience. I wish to ask Ms Starry LEE a question as she may be a member of the Chinese Communist Party. LI Dazhao, founder of the Chinese Communist Party, was against the warlords. In 1927 he was seized out of the Russian Consulate, that is, the Soviet Consulate, and later hanged. People questioned him, "Why do you support the northern expedition movement? You are in Peking, under my turf." Do you think LI Dazhao should be killed? He really supported … and also Miss LIU Hezhen, a young student who supported the student movement and was eventually killed by DUAN Qirui. Should LI Dazhao be held accountable for the student movements and the disputes and conflicts with the military police? The Communist Party initiated the 7 February Strike, or the Zhengshou Strike … SI Yang, a member of the Chinese Communist Party, was a lawyer. He saw the leader of the strike being stabbed again and again by the warlord and he was forced by the warlord to issue an order forcing workers to resume work. SI Yang refused and he published an article, which was later quoted by the media worldwide. Two days later, he was taken away and shot. Do you think an intellectual should not support the movement

against autocracy? Do you think he deserved to be hanged because he spoke against the autocrats?

Deputy President, today's subject of discussion concerns law enforcement by the Police. On 28 September, in the name of the rule of law, the Police enforced the Public Order Ordinance and fired tear gas to subdue the protesters. Their justification was that Hong Kong should be ruled in accordance with the law and by the law. Then I wish to ask you all, when members of the triad society and the "blue ribbons" were wreaking havoc in Mong Kok and Causeway Bay, why did the Police not enforce the law? Why did they not adopt the same means used on 28 September to disperse those people? Deputy President, it proved that even if the Police did not collude with the triads, they were partial in enforcing the law. That was not the rule of law but the rule of man. A man ordered people to attack those he did not like and the Police, seeing that people who fought for democracy, that is, people they did not like being beaten up, they were slack in enforcing the law or they did not enforce the law.

Deputy President, justice has not been done, and it was committed by all people at all times. Yesterday I asked the Secretary and he said that the Police enforced the law at all times, as what they did in the past. Then, I would like to ask the Secretary if the seven persons in question should be arrested and disallowed from enforcing the law. Otherwise, they will continue to enforce the law *(The buzzer sounded)* … and 70 other police officers will follow suit and enforce the law in the same way …

DEPUTY PRESIDENT (in Cantonese): Mr LEUNG, your speaking time is up.

MR LEUNG KWOK-HUNG (in Cantonese): … If the Secretary did not tell them to leave, he should leave himself.

DR CHIANG LAI-WAN (in Cantonese): Mr LEUNG Kwok-hung, speaking loudly does not mean you are right.

(Mr LEUNG Kwok-hung was still speaking)

DR CHIANG LAI-WAN (in Cantonese): Mr LEUNG, speaking loudly does not mean you are correct.

(Mr LEUNG Kwok-hung was still speaking)

MR LEUNG KWOK-HUNG (in Cantonese): … Deputy President, I …

DR CHIANG LAI-WAN (in Cantonese): Deputy President, Mr LEUNG Kwok-hung speaks very loudly, thinking that he is right …

(Mr LEUNG Kwok-hung stood up)

DEPUTY PRESIDENT (in Cantonese): Dr CHIANG, please hold on. Mr LEUNG Kwok-hung, what is your point?

MR LEUNG KWOK-HUNG (in Cantonese): A point of order. Please speak slowly. Deputy President, I request a headcount. Pardon me, Dr CHIANG.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(When the summoning bell was ringing, THE PRESIDENT resumed the Chair)

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, please continue.

DR CHIANG LAI-WAN (in Cantonese): President, Mr LEUNG Kwok-hung's remarks just now are frightening. He said that the Government is wrong, the Police are wrong, the anti-Occupy Central protesters are wrong, the

pro-establishment camp is wrong, everyone is wrong and only he is right. If Mr LEUNG Kwok-hung truly represents the future of Hong Kong, we all have to cry "hallelujah"; perhaps … I would like to ask Mr LEUNG to stop frightening the people of Hong Kong.

All right, back to business. President, I met a female street cleaner yesterday and she said to me, "Dr CHIANG, please ask the Police to clear the sites as soon as possible. We have waited for so many weeks. Even the kind-hearted Buddha will get angry. Although being insignificant, I also want to help the Police clear the sites." The words of this female cleaner represent the feeling of most people in Hong Kong. President, the people can tolerate no more; the situation is even worse for front-line police officers who have to bear the scorching sun and pouring rain, and they also have to put up with the endless provocation of protesters. Protesters can sit down and meditate, and if they are tired, they can go inside a tent to get some sleep, but can police officers do so? President, the incident has continued for 20 days.

Fellow colleagues, police officers are also human beings of flesh and blood. Even if they can endure this gruelling condition physically, they may not be able to do so mentally. Every day, people swear at them, humiliate their personality and even douse them with urine. President, I see on television many young police officers standing on the front line. I believe that many police officers are even younger than the protesters. They are young, hot-blooded and impetuous. They are not saints. They also have mothers. These young police officers are the fine new generation of Hong Kong. I know that police officers must have good conduct and they have to undergo integrity checks. They need not have an attractive appearance, but they must be upright and honest, these are the basic requirements for being police officers. They aspire to maintain Hong Kong as one of the safest and most stable cities in the world. However, in the past few days, incidents of illegal acts have occurred one after another, including illegal road occupation, violent storming and provocation against the Police. Is this city still stable? Is it still safe?

The Police have all along remained restrained, harbouring the good wish that the protesters will eventually disperse peacefully. However, up till today, while many students have left, some people with unknown backgrounds have still remained. If the Police still do not clear the scene, are the Police condoning violence, as claimed by Ms Cyd HO?

Speaking of violence, Members of the opposition camp have severely criticized the Police over the past two days for firing tear gas to disperse the crowds and they consider such act violent. As regards whether such an act is right or wrong or whether tear gas should be used, I dare not make any judgment. But as the saying goes, "A general in the field is not bound by the orders from his sovereign", only front-line police officers or military personnel can appreciate the situation on the front line, and they can thus make deployment and take action as appropriate. Hence, for Members who were not present at the scene on that day and who have not received suitable training, how could they severely criticize the Police in this Chamber? Do they know how to react?

Yesterday, someone was arrested by the Police, and the media captured that this person who charged at the Police was kicked by someone. At that time, I wondered why this man was kicked. As the incident had lasted almost 20 days, why the Police had not kicked anyone when faced with thousands or tens of thousands of protesters, but arrested this particular person, took him to a corner and kicked him. If that was what actually happened, what was the cause of it? I later learned that the man being kicked had doused the Police with some unknown liquid and it was said on the Internet that the liquid was urine. How could someone use such base, dirty and despicable means against the Police? What kind of person is he?

Yesterday morning, someone finally admitted that the person in question was a member of the Civic Party. It turned out that students had already left in the past few days but those who continued to stir up trouble and provoke the Police were members of the Civic Party. They are despicable and shameless, no wonder the Civic Party … Mr Alan LEONG keeps …

(Mr CHAN Chi-chuen stood up)

PRESIDENT (in Cantonese): Dr CHIANG, please hold on. Mr CHAN Chi-chuen, what is your point?

MR CHAN CHI-CHUEN (in Cantonese): I request a headcount.

PRESIDENT (in Cantonese):Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Dr CHIANG Lai-wan, please continue.

DR CHIANG LAI-WAN (in Cantonese): I just mentioned that the thug arrested for attacking and provoking the Police is a member of the Civic Party. No wonder Mr Alan LEONG seeks to dampen police morale as soon as this session starts by proposing a motion on the first day of the meeting to "purge" the Police. No wonder Ms Cyd HO also suspects that someone attempts to set a trap.

All the pan-democratic Members care about is fanning the flames, blustering and bitterly criticizing the Police. If they are so capable, why not stay on the front line to protect the protesters? When so many people have slept on the streets for over 10 days, how many days have these Members slept there? Many pan-democratic Members have not even spent any night there, how dare they speak here? What right do they have to speak out for the protesters today? Instead of clamouring here, why not go to Mong Kok? That is why many people criticize that these opposition Members "never make, but always mar". Many members of the public are of the view that if this situation continues, Hong Kong will eventually be "killed" by these opposition Members.

I wish to quote the last paragraph of the editorial in yesterday's *Oriental Daily* to remind those Members who act against China and stir up troubles in Hong Kong. There is a couplet in front of the tomb of General YUE Fei, which reads, "Good and evil are always like ice and coal; Now the time to judge genuine blame or praise". Today, the traitors pose as democracy fighters and attacks are packaged as righteous deeds. When their ugly face and political goal are seen through by the public, they will definitely be discarded by history, just like QIN Hui who had been despised by people for thousands of years.

President, it is normal for young people to have lofty vision and passion, and their pursuit of democracy is also understandable. However, in their pursuit

of democracy and other ideologies, many young people are obviously under the influence of certain people. I had extended an invitation to the leaders and convenor of Scholarism to exchange views with them but unfortunately they turned down my invitation.

I would like to talk about civil nomination proposed by Scholarism. Prof KUAN Hsin-chi pointed out on the radio and television a few days ago that civil nomination was a wrong name right from the start. He suggested calling it nomination by the people because the term civil nomination would cause a division among the people of Hong Kong. At present, all permanent residents of Hong Kong are eligible to vote. Why is it that in future only citizens can vote but not permanent residents? Will this cause a division among the people of Hong Kong?

Actually, has everyone carefully considered the new proposal put forward by the Government? Have they seriously considered whether the proposal is good or bad for Hong Kong? Is this proposal the third way pursued by overseas countries and the Western community?

Some Members keep mentioning international standard and wish to introduce the election system of overseas countries to Hong Kong. However, the election systems of many overseas countries are rife with problems because their economic development cannot keep up with the high welfare system. Therefore, they want to make amendments and discard some stuff, but now the people in Hong Kong are pursuing something that other countries discard or consider problematic.

I still have much to say but my time is limited. President, lastly, what I can say is that the overall performance of the Hong Kong Police is excellent in this incident. The Hong Kong Police is the pride of Hong Kong. I hope that all police officers will adhere to their aspirations when they joined the Police Force, which is to enable Hong Kong to be one of the safest and most stable cities in the world. Their goal is to maintain law and order. Millions of Hong Kong people rely on them. Keep up with the good work, police officers. I give them a "like".

I so submit. Thank you, President.

MS EMILY LAU (in Cantonese): President, you mentioned yesterday that some members of the public said that we acted like primary students. When we are having debates in this Council, I hope we could convince people through reasoning; we need not fling abuses or make allegations in such a piercing voice that would grate on us.

Regarding the complaints made by many people against the Police, I hope they would be handled under a fair and impartial system. We need not use this Council as a platform to defame and accuse indiscriminately other political parties or persons. I believe people do not expect Council debates to be of such quality. If this Council wants to gain the respect of the people, Members must respect themselves first.

President, today, this magnificent democratic movement enters its 19th day. In the debate just now, Members from your party remarked that the current situation is seemingly in a state of anarchy. If that is the case, this has confirmed your remark made last year or the year before last that should the constitutional reform did not work out well, Hong Kong could hardly be governed. Many people, including Members sitting on the opposite side, should have heard of this prophecy. In fact, Mr LAM Woon-kwong, Convenor of the Executive Council, had made a remark similar to that of the President, stating that Hong Kong would be doomed eternally if the constitutional reform did not work out well. Therefore, the current situation has not only been predicted by the democrats long ago, the prominent figures of the pro-establishment camp had also given prior warnings. Why don't we listen?

Chief Secretary Carrie LAM also said a few days ago that the present chaos was caused by the constitutional reform. She admitted that the incident has been handled ineffectively. President, a number of royalist Members described this incident as a "political storm". They might use this term when they were having a meal with ZHANG Xiaoming, but officials of the Central Government referred the incident as a colour revolution. I strongly agree that this incident is not necessarily a colour revolution. Though the beautiful yellow colour has been used, the incident is not a revolution. I have never learnt that there are people who want to overthrow the Government by means of bloodshed and violence. Certainly, many people want to replace LEUNG Chun-ying, just like the replacement of TUNG Chee-hwa in the past. Yet, they do not want to initiate a revolution. This is pretty clear and has been extensively supported by the public. Members of the public agree that this is a peaceful, rational and non-violent democratic movement.

Of course, the development of events or the occurrence of many incidents may not necessarily be well predicted, including the firing of numerous tear gas canisters, impelling several tens of thousands of people to take to the streets and attracting hundreds of foreign media reporters to come to Hong Kong to report on the incident. As a result, Hong Kong appeared on the headlines of television reports and covers of newspapers and magazines. I believe all these are beyond the expectation of the SAR Government; but what has happened has happened, how are we going to clean up the mess?

President, LEUNG Chun-ying has just held a press conference. As you have been in this Chamber, you certainly do not know what he said. He once again praised the Police for clearing the scene effectively. He also reiterated that he would promote constitutional reform and the second round of consultation would be launched in the fourth quarter. Dialogues would be held with various sectors (including students) and other people, and he also called upon university presidents to assist in chairing the dialogue. However, all these measures cannot effect an immediate cure. It is essential to hold dialogues, and we have been encouraging the authorities to have dialogues with students, as well as with people from various sectors (including Legislative Council Members) and other bodies. Nevertheless, nothing has been done and of course, the responsibility certainly lies with the Government.

In order to handle this crisis, I remember that not long ago, eight Members, including four Members from the pro-establishment camp and four Members from the democratic camp held a meeting. Certainly, some pro-establishment Members were not pleased and they queried why those four Members attended the meeting. They had their reason to query. They wondered why those four Members but not the others attended the meeting. I understand that there are a lot of Members belonging to your camp. Anyway, we sat down and discussed, trying to find a way out of this predicament. I believe many people would like to see this done, and that is something the SAR Government must do. In my view, the fact that LEUNG Chun-ying has now come forward to make such comments will not really help to resolve the current problem.

In a few days' time, the Democratic Party will travel to Geneva, because the United Nations Human Rights Council (UNHRC) will hold a meeting next Thursday. Although the agenda item does not include a hearing on Hong Kong's affairs (such a hearing was held last year), the UNHRC will follow up on the development of its recommendations. Last year, the UNHRC recommended that

the SAR Government should expeditiously implement universal and equal suffrage.

In March this year, the SAR Government submitted a paper to the UNHRC, stating that a five-month consultation would be carried out. After we arrive at Geneva, we will tell the UNHRC next week that the Standing Committee of the National People's Congress (NPCSC) made a decision in late August. According to the decision, a framework will been set for the election and Hong Kong people will not really have a choice. I do not care what Mrs Regina IP, Dr CHIANG Lai-wan and other Members have said, after all, under the current framework, even a magician cannot turn the system into one that does not have unreasonable restrictions and allows Hong Kong people to have a real choice. Therefore, we will travel to Geneva to voice our views and arouse the concern of United Nations.

President, the United Nations Committee on the Elimination of Discrimination against Women will hold a hearing next Thursday on the implementation of the Convention in Hong Kong. The Democratic Party will sit in on the hearing after our arrival at Geneva. The Committee has repeatedly pointed out that the election system in Hong Kong, especially the functional constituency election, discriminates against women, and it thus requests for its abolition. We are going to reflect the actual situation to the United Nations.

Moreover, as pointed out by Dr Helena WONG yesterday, in this umbrella movement, some women had been indecently assaulted and had been touched all over the body, but police officers did not offer any help though they saw what had happened. Late last night, many people were staying in Causeway Bay and some women complained being indecently assaulted. Why women participants of this peaceful demonstration are being so treated? Worse still, why did police officers who were at the scene not offer help? This is indeed worrying.

President, we will make it clear to the United Nations that this incident is not a revolution; Hong Kong people do not want to instigate a revolution and we are not asking for independence. I do not know if officials of the Central Government have received some wrong messages, such that they keep telling foreign countries that Hong Kong is now staging a colour revolution, and that this revolution is instigated and supported by foreign governments and organizations. Is there any evidence? Why should they keep making such claims and slanders? This is a magnificent democratic movement but has been described as a

movement financed and instigated by foreigners. Please produce such evidence if there is any; if not, please shut up because such allegation has perplexed Hong Kong people.

Regarding the incident involving Mr Ken TSANG of the Civic Party which has aroused extensive concern, we had a lengthy discussion yesterday and we sincerely hope that the authorities would fairly handle the incident as soon as possible. It is not enough to redeploy the seven police officers involved; should they at least be suspended after such an incident? The authorities should immediately carry out an investigation to tell us that the incident has been reasonably handled. Other allegations may also be handled together in a fair and impartial manner, so as to assure us that the rule of law and the entire system in Hong Kong are not really in jeopardy and those in power cannot really have their own way.

Yesterday, I am not sure if hundreds or thousands of social workers went to the Police Headquarters, requesting to go inside to report crime. As I am now in this Chamber, I have received a message telling me that over 1 000 journalists are rallying outside, complaining that they are being assaulted or charged by the Police while they report on the conflicts. President, how can we allow such incidents? I hope the SAR Government would understand, even though the authorities very often express high appreciation of the performance of the press in Hong Kong and indicate their strong support of their freedom in reporting, why have so many outraged journalists stand forward to protest? We can see on television and on the Internet the abovementioned incidents. Reporters are only performing their duties; why should they be treated this way? Why do they have to protest? This is because they have to rush to the front line every day, discharging the work that is widely supported by the public. Without an independent press, how can we get all kinds of information? Therefore, we fully support and respect the independent, objective and professional press.

TVB news department has often been criticized and ridiculed as CCTVB. Nevertheless, a number of journalists from TVB jointly signed an open letter yesterday, expressing their disagreement with the management as they were prohibited to use the words "punching and kicking". President, I am also shocked. In fact, I am rather dissatisfied with TVB news department, but many journalists dared come forward and state their positions yesterday. I hope other journalists would do the same. Some reporters told me what has recently happened in TVB news department; though we are shocked, we are pleased to see

that TVB journalists are willing to come forward. I definitely do not want them to become the targets of reprisal; hence, I would like to remind Keith YUEN, nicknamed "flower boy", and other senior officers not to mess things up.

We hope that other news media would do the same. When I attended the press conference a while ago, some reporters from other news agencies told me that their organizations were in a very difficult situation. We also understand their situation. Yet, we hope that journalists would first of all hold fast to their positions. Many foreign media practitioners have come to Hong Kong and they expressed great respect for Hong Kong journalists for they have been striving so hard. So, I must tell the authorities that they must not allow the Police to treat the media that way. They are only performing their duties, why should they be physically abused in the course of work? Why have the authorities or the Police treated peaceful protesters that way? I also understand that we all have emotions and police officers have been working very hard. It has not been easy for everybody. The business community has also raised many questions. The Democratic Party understands and does not want to cause any obstruction or inconvenience to business operators and local residents. We also hope that the problem would be solved as quickly as possible.

Nonetheless, the one who creates the problem should be the one to solve it. Hong Kong and Beijing authorities have to understand the predicament that Hong Kong is now facing. I would also like the pro-establishment camp to truthfully reflect to the Beijing authorities that even if a more open approach is adopted and Hong Kong people are allowed to have an election with genuine choices, heaven would not fall. Why should they publicly state time and again that the NPCSC's decision cannot be changed and we can only accept it? I hope the authorities would understand, people are not making selfish demands as some have commented. They are just making demands for the good of Hong Kong. Look at those young people, they have come forward to fight for what they want. Why don't we listen to the voices of Hong Kong people and reflect accordingly to the Beijing authorities, so as to seek a way out of this predicament and crisis?

PROF JOSEPH LEE (in Cantonese): President, today's adjournment motion is about the handling of people's assemblies by the Government and the Hong Kong Police. In the past few hours, our fellow colleagues have put forward many arguments, with the focus generally on what happened on the day before yesterday. Some colleagues have also queried why upon the resumption of the

Council today, the Legislative Council meeting has turned into a forum of denouncing the Police.

Three weeks have passed, what has really happened in respect of the Government and the Police's handling of people's assemblies? Students launched the class boycott on 22 September and a number of assemblies had been held in various places. The atmosphere then was very peaceful and calm without any large-scale confrontation or storming. At that time, we all believed that the Government had been understanding and tolerant. Front-line police officers were also aware that the assemblies were peaceful and they would not disperse the crowds or students attending the assemblies for no reason. Everyone thought that no great problems would arise.

On 26 September, some members of the Scholarism forced their way into the civic square, inciting conflict which resulted in the arrest of a number of people. There were some scuffles but no one criticized front-line police officers for abusing their power and using unnecessary force to disperse or arrest those who engaged in the storming actions. This is how things happened.

On 28 September, more supporters of the Occupy Central movement joined in. The assembly was peaceful that night as everyone sat on the ground. Then, why did some people run onto the road and not return to the Central Government Office or Tamar Park where the assembly was originally held? The reason was that the Police did not allow people to go there. As a result, when more and more people gathered, they flocked to the roads. That was a voluntary action. Everyone was peaceful and there were no scuffles, but what happened in the end? As far as I understand, police commanders ordered officers to use tear gas, pepper spray and batons to disperse the crowds at the scene by force.

After what happened that day, people queried whether the Police's handling of the assembly participants is appropriate as they were just protesting or expressing their aspirations peacefully. Most of the press editorials criticized the Police for using unnecessary force and the firing of tear gas was absolutely unnecessary. That night, I was somewhere near to the site and I had the chance to talk to some police officers as well as people who were tear-gassed. There was a saying, I did not know whether it was true or not, that the Police had fired close to 80 tear gas canisters and eventually police officers just fired tear gas at will and did not aim at the crowds. Everyone understood that such kind of force was uncalled-for.

The incident had passed. In our view, using tear gas, pepper spray and batons was absolutely unnecessary, and the Police should not use such inappropriate force to disperse peaceful protesters. People may consider it wrong and illegal to occupy roads, which is a fact, but should the Police use such unnecessary force to disperse the assembly participants?

Days had passed. During those one or two days, everyone had such a thought be they confrontational, highly emotional or highly tensed. In those few days, I did not go home but stayed at the scene, talking to the participants. Most of them were young people in their twenties. They all said, "I am ready. Tear-gassed me. I am not afraid." They were filled with enthusiasm. What was their purpose of staying there? They stayed there not only to stage a protest. We should not forget that they stayed there to strive for genuine universal suffrage. They did not occupy the areas for no reason. They were filled with enthusiasm.

Ten days passed peacefully. The situation seemed to have calmed down. During the 10 days from 2 to 13 October, the situation was quite calm. The Police cleared some sites with the excuse of retrieving public properties. The protesters also opened up some access roads for the public. In this way both sides could back off and spare the embarrassment.

Before those 10 days, another incident did happen. On 1 October or 2 October, some people who looked like triad members showed up in Causeway Bay and Mong Kok. They harassed and indecently assaulted the protesters, hurled abuses at them and even physically clashed with them. That was a fact. But how did the Police handle the situation? They acted as "middlemen", not "peacemakers" but "middlemen", separating the two groups of people. At that time, some queried whether the Police were colluding with those suspected to be triad members. I will not comment on this issue. However, the fact was the Police acted as "middlemen" to separate the two sides.

After this incident, people started to query the Police's handling of the incident. During the period between early October and 13 October which I have mentioned above, the situation was peaceful and people had calmed down. As such, people suggested taking advantage of the situation to see if there was a chance to start a dialogue on genuine universal suffrage with the authorities again; rather than to hold a discussion on where to occupy and what tactics to be taken, and so on. This was what we wished to see.

During these days, how did the Police handle people's assemblies? I had no idea what the Government had done. In his reply to Members questions yesterday, the Secretary said that senior government officials fully supported the firing of tear gas. That was not a problem. I understand that senior government officials supported the use of unnecessary force. However, over these days, the Government had not taken any special measures to deal with the protesters. Did the Government intend to let the assemblies lose steam gradually and eventually die out? I did not know. In fact, the Government had not done anything and front-line police officers got along well with the protesters, patrolling occasionally to see if there were any incidents; that was all. Is today an appropriate occasion to debate this handling approach? Is the Government's tactic of letting the assemblies gradually lose steam a good way to deal with the problem? Will the Occupy movement thus stop?

The crux of the problem is why people initiated the Occupy movement. The movement is only a means to force the Government to discuss the issue of genuine universal suffrage with us again. This is also the objective pursued by the general public in Hong Kong over the past three weeks. Most of the people attending the assemblies every night have this idea in mind. Their objective is not to blindly occupy a certain place. Of course, I do not rule out that some more radical protesters or other people might have a different agenda to achieve through the Occupy movement, but they are only the minority while most assembly participants hope that the Government would re-start the discussion on genuine universal suffrage again. Nevertheless, the Government has not addressed this problem. It has done nothing and left everything in the hands of the Police.

On the night of 14 October, the Lung Wo Road incident broke out. When I was watching television, I said to myself, "How strange. Once Queensway was cleared, people immediately blocked Lung Wo Road. Confrontations would surely arise". Indeed, there were confrontations. Was it right for police officers to use pepper spray and batons against the protesters, was it right for police officers to tear down people's masks and spray straight at their face; and was it right for police officers to engage in physical clashes with the protesters? I cannot make comments here as I was not at the scene to witness what had happened. Yet, we expected that such confrontations would happen and this point was important. What I least wish to see is that there are black cops in the Police Force. Concerning this issue, I asked the Secretary six supplementary questions yesterday, but he failed to answer any one of them. It does not matter. Today, I will not ask the Secretary again, please feel at ease. I have already put

forward the questions and I will pursue the answer on other occasions. Such kind of force is unnecessary. As Madam Emily said just now, the person under arrest was punched and kicked. Why was he so treated? Was it a practice adopted by the Police in handling the protesters? I do not know. Neither do I think … Does it mean that the Government tacitly approves such practice? I do not know. Of course, some colleagues said that the member of a certain political party provoked the police officers and agitated them. However, yielding to provocation and being professional are two separate issues.

Last night I received a short message from the husband of a friend of mine who is a nurse. He asked me to read it out if I have the chance today to show how one should handle his or her emotion. Let me read out an extract of the message here. He said that his wife was a front-line nurse during the SARS epidemic. In the face of this life-threatening crisis, his wife did not have one day off in the whole year and worse still, there was a pay cut right before the outbreak. Members should also remember the "033" pay cut. Apart from having to work extremely long hours and face death every day, his wife could not have any physical contact with her family members if she had the chance to go home. She also witnessed her colleagues getting infected every day. Despite all these, his wife did not lose temper and hurt the patients, neither did she argue with the patients or treat them badly. He said that was professionalism.

The lesson of this message is that though each of us has emotion, we cannot use it as an excuse. Being a professional, can one maintain his impartiality when being provoked? This is an essential requirement for anyone in police uniform. In the editorial of *Ming Pao Daily* today, the author understands the situation of police officers. Let me quote from the editorial briefly, "The mental conditions of the Police deserve our concern and understanding because all police personnel have to undergo vigorous training, so that they have the physical power to maintain law and order in society when required. Therefore, the Police have inherent 'unruly fangs'. They will certainly conceal their fangs under normal circumstances, but when dealing with a chaotic situation, they may inadvertently expose their fangs." Is this the reason why some police officers had exposed their fangs and imposed extrajudicial punishment two nights ago? If that is the case, we must conduct an investigation, and I will not discuss this issue again.

This incident has reflected a problem. When handling the protesters in peaceful assemblies, front-line police officers have already used certain force. They do not know how to vent their emotions. They have grievances and have

to face provocation. However, oddly, while front-line police officers have to endure verbal abuses and physical clashes with the protesters, senior police officers are nowhere to be seen. In the past two weeks, or even after what happened yesterday, the "number-one man" of the Police is still missing, and no other directorate officers of the Police have showed up to do something. Do they act like our Chief Executive who has gone into hiding and dared not come to the Legislative Council? Today if we … concerning the Police's handling of people's assemblies … Just now a Member says that "A general in the field is not bound by the orders from his sovereign", the problem will then be very serious because that is to say, the directorate officers of the Police can no longer control front-line police officers.

I hope that front-line police officers would understand that they have to follow the orders of their superior including the Commissioner and the entire directorate team of the Police. I wonder whether the Secretary knows there whereabouts. At this point in time, should senior and directorate officers of the Police come out to make some fair comments? Regarding the incident of police officers punching and kicking a person arrested, should senior officers of the Police handle the case in a formal, open and fair way instead of leaving it to the Independent Police Complaints Council (IPCC) to follow up?

Excuse me, President, regarding the IPCC, I am quite angry. I am the former Vice-chairman of the IPCC. I was somewhat infuriated after hearing what the new IPCC Chairman said. Why am I upset? I served in the IPCC for six years and I know that according to section 8(1)(c) of the Independent Police Complaints Council Ordinance, the IPCC has statutory power, rather than investigatory power, to prevent the increase of complaints. In the past three weeks, seeing the large number of complaints against the Police, the IPCC should have discharged its statutory duty to hold meetings with the Police to find a way to reduce the number of complaints. That is its statutory duty. It is not that the IPCC cannot do anything, as what the new Chairman has said. The IPCC has the power to hold meetings with the Police, though it cannot carry out investigation. That is the statutory duty of the IPCC.

In fact, many incidents had happened lately which are not pleasant in our view. Just like last night, there were conflicts and physical clashes again and the Police once again used pepper spray. Oddly, people seem to have got used to it. I will leave the incident last night aside as the focus of this discussion is on the night before last. Looking back, the Government has, in handling the

assemblies, shifted the responsibilities to front-line police officers for no reasons while senior officers of the Police have all disappeared. The Government seems like an onlooker, gesticulating but without making comments, and has not made any attempt to resolve the problem.

Although the subject of our discussion today is the Police's handling of assembly participants, in the final analysis, we must ask why so many people have assembled each day. Why do so many people hold assemblies in to Queensway, Mong Kok or Causeway Bay? President, their only aspiration is to tell the Government what genuine universal suffrage is. However, the Government has not addressed their aspiration. The Government just let them perish on their own or allow front-line police officers to confront them, so as to divert the public's attention.

Concerning this incident, I think the SAR Government led by LEUNG Chun-ying or the Beijing Government has the responsibility to reopen the dialogue and hold discussions on our aspirations and the aspirations of those who take to the streets every day. It does not matter if they can meet our aspirations, they should at least open a dialogue and hold discussion first; otherwise, unpleasant incidents will keep happening which we, the people of Hong Kong, do not wish to see.

Thank you, President.

MR STEVEN HO (in Cantonese): President, after hearing Ms Emily LAU's speech, I think some Members have finally become aware that this Chamber is a place where one should convince others by sound reasoning. However, Members of the pro-establishment camp have been attacked for years by their opponents with the same tactics that people are now complaining about. The candid remark made by Dr CHIANG Lai-wan today reflects that she can no longer tolerate the situation. I really hope that this Council can restore its proper image of a legislative body.

Let me return to the subject under discussion. The confrontations resulted from the recent Occupy Central movement have dealt a serious blow to Hong Kong in many respects. Some consider that the public support Occupy Central, but we think the public support social stability. Anyway, voices of grievances are heard everywhere. Most importantly, the incident has seriously torn our

society apart. Who should bear the responsibility? Even if the Occupy Central Trio, some Members or celebrities apologize thousands of times, the situation cannot be remedied. Even if the ideal system advocated by these people can be implemented, the serious damage caused to our society cannot be compensated.

Talking about Occupy Central, the handling of unlawful assemblies by the Police is certainly worthy of discussion. However, I believe it is not an issue which requires the most urgent attention when compared with the effects of the Occupy Central movement on our economy, the rule of law and the 7 million people of Hong Kong, as well as the problem concerning the secret support of certain organizations of the unlawful assemblies. Regarding the incident that occurred two days ago which has been described as "imposing extrajudicial punishment", I will discuss it as a separate issue.

Some Members argued that the students were pursuing their ideals, they were rational and unarmed. These Members questioned why the Police used pepper spray and tear gas; why the Police were biased in enforcing law when some occupiers in Mong Kok were attacked; as well as why the Police, after arresting the suspects, released them later in another place. These are their arguments. After watching the edited footage on television and on the Internet, some of my overseas friends were shocked and even moved to tears. However, I hope that all members of the public would understand that in discussing the issue of law enforcement by the Police, we should not be too emotional. Otherwise, our judgment will be affected.

As a matter of fact, the Hong Kong Police has a good international reputation. It has been well trusted by the people of Hong Kong over the years and is regulated by various ordinances and institutions. How many years does it take to get such achievements? From movies such as To Be Number One and Lee Rock, we can see that police officers in the old days were very different from those nowadays. We have spent years to build up the current image of the Police, and therefore, I hope that people will not only focus on one point and ignore the other factors.

Let us consider the incident that happened in Admiralty on 28 September. In the face of protesters charging at the police cordon lines, threatening the safety of the Central Government Office, other protesters, members of the public and police officers, and in considering that even the initiators of Occupy Central admitted that the unlawful assembly had gone out of control, if the Police did not

control the situation, would the interests and safety of the general public not be affected? I believe no government of any country in the world will allow the situation to go uncontrolled. As we can see, the Police had ensured that the number of casualties among police officers, members of the public and protesters was kept to a minimum. By comparison, that rarely happened in protests overseas. In 2011, in the Occupy Wall Street incident in the United States, police officers in New York used bean bag rounds and other equipment to clear the crowd by force. Some protesters sustained serious injuries as a result, including neurological damage and bone fracture. By comparison, the recent clearance actions by the Hong Kong Police have been very controlled and some places have not even been cleared.

Some may ask, "Is the Police favouring the anti-Occupy Central supporters?" When we visited the districts, some people expressed the view that the Police was biased in their law-enforcement decisions. That may well be a matter of opinion. In one example, the "Durian man" was arrested immediately when he took out a sharp knife at the scene. In another example, some anti-Occupy Central supporters used scissors to cut the plastic cuffs fastened to the mills barriers in an attempt to remove these barriers, they were arrested because the Police said that scissors were offensive weapons. On the other hand, some Occupy Central participants used saws, sledgehammers and the like in Lung Wo Road and other places a few days ago. Are those offensive weapons? Despite the different opinions in our society, I believe the Police should clarify the law-enforcement criteria adopted so that the public can understand.

Now that Occupy Central has been staged, many people say that the students are peaceful and rational and should anything untoward happen, the Government will enforce the law. If the Government was really determined to enforce the law, it should have dealt with the assembly long ago. The protesters have actually committed various offences, including offences under the Public Order Ordinance and the Crimes Ordinance. They have damaged public property and taken mills barriers to form road blocks and cordons. There are many other offences as well, albeit minor ones. For example, some protesters have erected a shower room in which the waste water drains into the sewer. They may have breached the laws relating to the disposal of foul water. If the Government was really determined to enforce the law, the assemblies should be disbanded very soon. However, the Government and many Honourable Members have high respect for various freedoms enjoyed in Hong Kong, including that of speech, assembly and demonstration, and they have been

extremely tolerant. I hope that people can listen to the opinions from various sectors of the community.

Certainly, among the participants of Occupy Central, there are good people as well as bad people, but most of them are peaceful and rational. Many people say that they follow their conscience. While our conscience tells us to safeguard the rule of law, their conscience tells them to pursue their ideals, including their ideal system. Regarding their acts of voluntarily recycling their stuff, putting their hands up, sitting-in, studying and cleaning the streets, I can at most say that they are public-spirited, but are they empathetic? Do they realize that their actions affect the order of our society?

A friend of mine owns a restaurant in Mong Kok. One day, one of the Occupy Central Trio appeared on television and said that their actions would have a little effect on shop owners. Upon hearing the word "sorry" uttered by the man, he almost burst into tears. Later he saw some people playing table tennis happily outside his shop. Imagine how a shop owner in Mong Kok would feel when he saw such a scene. I believe many owners of small and medium enterprises and restaurants would share the same feeling that the man tendering the apology was playing tricks and simply could not be trusted. I hope that participants of protests, marches and assemblies will consider the interests and feelings of others in future.

Next, I would like to raise another issue. Many people have described Occupy Central as a colour revolution. However, the Government has not classified Occupy Central as such, and members of the pan-democratic camp, the Occupy Central Trio and the Hong Kong Federation of Students do not agree that the movement is a colour revolution. Nevertheless, we can see the words Umbrella Revolution written on the road outside the Legislative Council Complex. I dare say that although the movement has not been officially named a revolution, it is in reality a revolution.

Earlier, I met some friends in a gathering organized by the Democratic Alliance for the Betterment and Progress of Hong Kong. Let me briefly describe what they have told me. They said that there are a few strategies to stage a colour revolution. The first step is to incite social conflicts on issues such as high property prices, high food prices, high transportation costs (for example, taxi fare rise), education, and so on. The next step is to raise public expectations of the Government to a point which the Government can hardly accept, such as the establishment of universal retirement protection scheme.

Then, they will direct the spearhead at the Government, saying that it should bear the responsibility.

They further pointed out that another tactic is to drive a wedge between the Police and the public. Should any confrontation happens, front-line police officers will be the first ones to face members of the public and the protesters. If the protesters treat police officers as brothers, even if they hit police officers with umbrellas, they will use little force; but if they treat police officers as enemies, they will not be restrained. The Police cannot do anything about the situation. As they are bound by many restrictions, they have to be very cautious when taking actions.

Finally, my friends pointed out that an accessory, a colour or a symbol will be used to unite all people who are against the Government, in an attempt to topple it. Initially, the protesters wore a yellow ribbon. Then, they used umbrellas to protect themselves against pepper spray, and yellow umbrellas, such as those on Members' tables, have been used. That is why the name Umbrella Movement is used. Denying that the movement is a revolution will not change its real nature. We should form our judgment by considering the actions and intentions of the participants. Many people say that some have received money in the process. Mr WONG Kwok-hing has shown us a book on this point just now and I immediately flipped through the pages. I think the protesters should, first of all, explain what they are actually doing.

Finally, I want to point out that no matter how different our political views and how dissimilar our opinions are, we should not dote on members of our political camp. Considering this student movement, I very much agree that the students have freedom of speech and assembly and it is alright for them to pursue their ideals, but if they have crossed the line, should people of rational thinking (including Members of this Council, social celebrities and knowledgeable persons) ask them to stop? People should not instigate students with applause, praising them for doing the right thing and say, "Students have come to Admiralty to study for the sake of democracy. Look at them, they are participating in the 'Boycott Classes, Continue Learning' strike". If a student says, "I boycott class. I step out of school for democracy and I will not study". The only comment that can be given is, "You are great. You have sacrificed learning for the sake of democracy". These students are blocking the roads to achieve their own purpose and they are compromising the interests of other Hong Kong people. Yet, some

people continue to applaud their actions, leading the students down the road to hell. Is that the right thing to do?

We support the Police as a whole and not police officers as individuals. We believe in the system of monitoring the Police. Two days ago, TVB recorded a video footage of a protester being assaulted by police officers. The police officers are suspected of imposing extrajudicial punishment. I think the matter should be dealt with and inquired into under the established system. If some people are unsatisfied with the findings of the inquiry, they can propose to hold a discussion in the Legislative Council on whether the system of monitoring the Police is too lenient and whether there are any inadequacies. I think we should analyse the matter in an impartial and rational manner and not be affected by our differences in political opinions …

(Mr Albert CHAN stood up)

MR ALBERT CHAN (in Cantonese): President.

PRESIDENT (in Cantonese): Mr CHAN, what is your point?

MR STEVEN HO (in Cantonese): I will finish my speech shortly, can I wrap it up in a few sentences?

MR ALBERT CHAN (in Cantonese): … I hope more Members can listen to such sophistry. President, please do a headcount in accordance with Rule 17(2) of the Rules of Procedure.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr Steven HO, please continue with your speech.

MR STEVEN HO (in Cantonese): President, such a move only leads to disharmony. Although only two more minutes are left, I was not even allowed to finish my speech.

Let me talk about another matter. Last Friday, everyone in Hong Kong shared the common wish that the Government will start a dialogue with the students. Occupy Central supporters and opponents, as well as and other members of the public who are onlookers all hoped that the two parties could have a dialogue, so that there would be a breakthrough to resolve the matter.

As Legislative Council Members, we should act responsibly. On 9 October, the two subcommittees of the Finance Committee elected its Chairman and Deputy Chairman. Members from the pro-democratic camp are awesome; their members have been elected as Chairman and Deputy Chairman of the Establishment Subcommittee and the Public Works Subcommittee. In less than a day, they announced the launching of a non-co-operative movement, forcing — we may have different views — the Government then has an excuse for refusing to have a dialogue with the students. This is most disappointing for the general public of Hong Kong.

People said that the Government had holed up and the Government in turn said that they lacked sincerity. Since starting a dialogue is the common goal of everyone in Hong Kong, I hope Members can show us their boldness of vision when another chance to start a dialogue comes up. Similarly, I hope the Secretary for Security can show us his boldness of vision by handling the current incident properly.

Thank you, President.

MISS ALICE MAK (in Cantonese): President, a mother started writing a blog after her child was born. She has many fans and readers who are mothers too. In the blog, the mother has all along written about her experience of taking care of her children. Recently, however, she started to talk about how she was affected by the class suspension in kindergartens.

The mother lives in Tseung Kwan O. Her son, a Primary Two student, studies in Tseung Kwan O, while her daughter attends a kindergarten in Wan Chai. During the class suspension period, her daughter did not have to go to school, but her son had to. She wrote, "Now I watch the news broadcast at four o'clock every day, just like what I did when I wanted to know if Typhoon Signal No. 8 would be hoisted and classes would be suspended". Her son also asked her why he had to go to school while his sister did not have to and he thought that was unfair. Even children think that the matter has caused unfairness to them.

Finally, classes resumed. As the daughter goes to a kindergarten in Wan Chai, the mother usually takes the MTR and a tram to take her there. However, as tram service was suspended on those days, they had to walk to the kindergarten. The mother carried a bottle of water for her daughter who walked slowly. That was how the mother was affected. I have been reading her blog for a long time, and it is only until recently that she has expressed grievances against the society. For many years, she has written only positive things about caring for children in her blog and has hardly complained about the society.

Furthermore, people may not be aware how the recent class suspension has affected some working mothers. They may think that class suspension in primary schools and kindergartens is not a big deal; children are just given extra holidays. However, when classes are suspended suddenly, mothers and working mothers in particular, have to arrange someone to take care of their children. As many Members are very concerned about after-school care service or child care service, I think they can understand the problems faced by these mothers in making child care arrangement in response to the unexpected class suspension.

Let us consider some other cases. A friend of mine owns a restaurant in Central and business has been quite good. However, he told me that the money he made this month was not even enough to pay for the rent, not to mention meeting other expenses. Another friend of mine who owns an upstairs café in Wan Chai had no business turnover for three days in a row. Recently, the business turnover is some $100 to $200 per day because there are some customers during lunch time.

I believe many Members would have heard of similar stories during this period outside this Council. Some people said, "These incidents are short term in nature, but what we are doing has long-term effect. Your children may experience class suspension for a few days, but what we are doing is for their

future". My response is, the actions of these people have done harm even before gaining any benefit. Besides, how long is short term? More than 10 days have passed and when will the incident end?

Some people said that business in the sales and retail trade during the holidays starting on 1 October was not too bad and in fact, business in many shops thrived. Since people could not shop in Causeway Bay or Mong Kok, they went to Sha Tin and the New Town Plaza was jammed with people. For some shops, if their Mong Kok branches could not open for business, customers could shop in their Sha Tin stores instead. For the cosmetics shop with the name that starts with an "S", it did not matter that customers could not patronize their stores in Tsim Sha Tsui or Causeway Bay; they could do so in Sha Tin or the Festival Walk. However, how many small and medium enterprises (SMEs) are chain-store operators which can afford to run stores in various districts?

In the view of some people, SME owners are in dire straits because of the heavy rent burden, which is actually resulted from the SAR Government's failure in its housing policy and land prices. If SME owners do not have to pay high rent, they will not be so miserable and therefore they should support this movement. However, even if they support this movement, will they get help to pay the rent at the end of the month? What SME owners have to face are practical problems of livelihood, rent, nuisance and harassment.

When we talk about these things, many will say that we are too selfish. They will say that Hong Kong people and the adults are money-oriented, but young people, who are the future masters of society, have visions and missions.

President, the adverse impacts of the illegal Occupy incident on the society is not only restricted to economic losses. For SMEs that I have just mentioned, they have to face the problem of paying rent and other expenses at the end of the month which is, in two weeks' time. Most importantly, our society is seriously divided, and even to the extent of being torn apart.

I believe Members have heard about people unfriending one another in Facebook or leaving a group in the exchange platform of WhatsApp and refusing to chat with certain people in the group. I know that some people have argued with and estranged themselves from their primary schoolmates whom they have known for 30 years. For me, I am very thankful that my family members and I have maintained a good relationship despite our differences in opinion. As I

have said in this Council before, some members in my family have actually gone to Admiralty. Indeed, some people suggested that I should "sacrifice ties of blood to righteousness", report on them and have them arrested, because what they have done is unlawful. These people asked me why I did not have them arrested.

I think we have to respect others. Although my family members and I have divergent views, we respect each other and hold rational discussion. Fortunately, my family has not been seriously divided or torn apart. We can even share our views, communicate well and understand one another.

Yesterday, after I returned home from the Council meeting, I discussed the matter with my family. Our discussion naturally touched on what happened in the early hours of yesterday. We agreed that if some people have breached the law, enforcement actions should be taken against them and they should not be spared. We also understand that some people in our society have become too emotional. One family member told me that he asked a young man who joined the Police about a year ago whether he would take part in the assault if he were at the scene. The young policeman said he did not know, he might do so, depending on the circumstances at the time. What are the reasons? The reason is that his colleagues have been working very hard and have a really tough time. What bothers them most is not that they have no time for sleep and meals, but the fact that they have to endure verbal abuses every day and their family members are the subject of such abuses. Worse still, they cannot hurl abuses back. The young policeman often plays football with my family members. He said if he is verbally abused during a football game, he can hurl abuses back, but when he puts on his uniform, he has to stomach the abuses silently. That is why he and his colleagues are having a hard time now. Police officers who are not so good-tempered at ordinary times have to be good-tempered when he is in police uniform. I can imagine how stressful our police officers are.

My family member also told me that one of his friends has been staying in Admiralty for the last 10 days. Each day, this friend returned home after work to take a shower and change his clothes before going to Admiralty. He slept there for the night. After he woke up in the morning, he went to a public toilet to wash his hands and face before going to work. He returned home after work to change his clothes and went back to Admiralty again. He did so on each of the last 10 days. This man does not belong to any political party, he just sits there quietly and has not participated in any charging actions. Sometimes, he

helps to buy some stock, even with his own money, or helps to carry some stock. He takes all such actions to support a vision. However, my family member told me that during those days, his friend hardly saw the so-called initiators or conveners of the Occupy Central action or even Members of this Council at the scene. Nobody knows where these people are during daytime when there are fewer occupiers, but when more occupiers gather during the night, these people will suddenly show up, stand on the stage to deliver speeches or receive television interviews.

President, I understand the actions taken by some students and members of the public to pursue their ideals, but I despise the so-called initiators or conveners, or even some Members of this Council who are insincere, trying to take advantages of others and claiming to be the representatives. On the night before yesterday, I saw on television news a university lecturer talking on stage. He urged protesters to go to Lung Wo Road to give support as the Police had fired tear gas during a confrontation. As a result, we saw many people rushing to Lung Wo Road and there were chaotic confrontations that night. In the end, was any tear gas fired? No. Why did the lecturer use the microphone to tell the people that the Police had fired tear gas and urge them to provide support? What was his motive? I believe we all know the answer.

Mr Albert HO said earlier that the movement was spectacular and another Member, Ms Emily LAU, even said that it was magnificent. We should not vilify the actions of students and members of the public, but we do not have to glamorize them, do we? We should look at the incident rationally and not add fuel to the fire at this point, telling others that the incident is impressive, spectacular and magnificent, and inviting others to join in. I agree with what Mr Ronny TONG and Mr Paul TSE said earlier that we should cool down the incident but not flare it up, or even add fuel to the fire. Now that we have learnt about the incident, we should consider how to solve the problem. Yet some people are so eager to add fuel to the fire that they have even forgotten what they had previously said.

Earlier, Mr TANG Ka-piu mentioned that in the Manual of Disobedience uploaded on the website of the Occupy Central Trio, certain gear is recommended for the would-be participants. They are clearly advised to bring sleeping bags, but not tents. However, how many tents are there outside this Complex now? Some people are so eager to add fuel to the fire that they forget what they had

previously said. They advised people not to bring tents, but they themselves did so and they are now asking others to follow suit. President, we certainly have to resolve the problem of the illegal Occupy Central so that social order can be restored. I do not want the Police to suffer any more stress. However, what concerns us more are the "post Occupy Central" problems. The incident has already caused serious dissension and division in our society. Is there still a way out for Hong Kong? That is the question I often ask myself. We are used to having rational discussions. Facebook used to be a platform for sharing views, but as we can see, people are either friends or foes. If one expresses an opinion which is disliked by others, he will be censured, unfriended and blocked from any further communication. If Hong Kong has fallen into such a state, is there still a way out?

Therefore, I appeal to the opinion leaders and, in particular, Members of this Council, to follow their conscience, adopt an attitude of mutual respect and tolerance to find a rational way out of this predicament and overcome various challenges together. Otherwise, there will be no way out for Hong Kong.

Thank you, President.

MR CHRISTOPHER CHEUNG (in Cantonese): President, it has been nearly three weeks since this illegal Occupy Central movement broke out. The areas severely afflicted include not only Central as originally expected, but also Admiralty, from where the occupation has extended outwards. As a result, traffic in the entire northern part of Hong Kong Island has been almost completely paralysed. The movement has mushroomed across the territory. At one point, a tourist spot in Tsim Sha Tsui was affected, and order has yet to be restored at the transport hub at Nathan Road in Mong Kok, thus taking a heavy toll on the daily lives of countless people, seriously disrupting the schedules of people going to work and students going to school, dealing a terrible blow to the business of shops, and affecting the livelihood of many professional drivers as well as the working class.

As for those idealistic and passionate young people who take to the streets to show their care for society with a childlike heart, anxious to do something for Hong Kong and their future in pursuit of ideal elections in their mind, their intentions are good and really deserve our respect.

Regrettably, given that the Occupy Central situation has become more and more complex and its direction of development increasingly blurred, the movement is getting out of hand and has become a protest for the sake of protesting. Take what happened in the small hours of these two days as an example. After the Police had removed the barricades and restored traffic order on Queensway, the protesters sought to paralyse the traffic between the eastern and western parts of Hong Kong Island, and even carried out a "mobile Occupy Central" exercise by setting up barricades on an ad hoc basis to disrupt traffic, which would not only continue to cause harm and inconvenience to the public, but also put motorists in danger. They simply intended to stir up trouble everywhere and throw Hong Kong into disorder. Such illegal and trouble-making activities should absolutely be strongly condemned and put to an end.

The students initially took part in Occupy Central in answer to the call of the Occupy Central Trio. They have been standing in the front line of the movement and have even become its leader, attempting to occupy major trunk roads so as to paralyse the operation of the Government and Hong Kong's central business district, or even to wage a war of attrition that is going to wreak havoc on people's livelihood and business operations, and inflict huge losses on Hong Kong's economy. The counteractions taken by the Police according to the law in maintaining social stability and protecting public safety are worthy of public support.

Of course, I note that everyone is gravely concerned about the handling of Occupy Central by the Government and the Police, particularly whether the force used by the Police for clearing the scene was right and proper. Yet, as pointed out by the Secretary for Security in reply to Member's questions yesterday, on the second day of Occupy Central, a large number of people charged at the police cordon lines, and the Police exercised their professional judgment and used the means they considered appropriate to handle the situation. The purpose of firing tear gas was to avoid causing injuries to a large number of people and police officers.

Following the intense clashes between the Police and the people, and after the people calmed down, the Police already changed their tactics and tried their best to persuade the road occupiers to leave the trunk roads they occupied, but what was the outcome? Did the protesters agree to leave? The answer is clear to all. We have tried both hard and soft approaches, and we have said all we can

say, be they pleasing or unpleasant. Nonetheless, have the protesters ever made any genuine concession?

Members from the pan-democratic camp always say that the protesters were just holding up their hands and conducting a peaceful demonstration during their confrontation with the Police. But if we take a closer look, we can see that the protesters actually kept charging at the police cordon lines. It was only when the Police displayed the banner indicating the intended use of force that the protesters held up their hands, giving people the impression that they were really peaceful demonstrators. In many cases, however, they used abusive language to insult the police officers who were maintaining public order in the performance of their duties under the law, and the officers were thus under huge physical and mental pressure. Can such an act by the students be called a peaceful demonstration?

In fact, apart from causing severe disturbance to all aspects of our daily lives, the Occupy Central action has also seriously affected the overall investment atmosphere. For example, in the financial services sector that I represent, since Occupy Central took place, the investment atmosphere has been weak as many retail investors have been discouraged from or have lost interest in accessing the market. While the daily turnover in the local stock market stays at the level of $70 billion or so, many transactions are the result of the hedging of derivative products in the market. The volume of normal stock trading is actually small; it has dropped by 20% to 30% at least according to our estimation.

Furthermore, the date of launching the Shanghai-Hong Kong Stock Connect (S-HK SC), which is of public concern and was supposed to be launched by the end of this month, has yet to be announced. Given that the S-HK SC was not launched this Monday as originally expected, there are worries that this important financial policy has been impacted by Occupy Central. We hope that the Government will step up negotiations with the Central Government, so that the S-HK SC can be launched as soon as possible in order to consolidate Hong Kong's status as a financial centre, lest our economy should suffer another heavy blow from the illegal Occupy Central, in which case the situation would just go from bad to worse.

Also, I would like to say a few words to the students who are participating in Occupy Central at present. The financial industry is very important to Hong Kong, as it accounts for 15.9% of Hong Kong's Gross Domestic Product (GDP),

with per capita GDP amounting to $1.4 million. I believe that many students will engage in the development of financial businesses when they join the workforce in the future. If they mess up Hong Kong's financial market and scare off investors, their future development in the financial market will also be prejudiced.

As a matter of fact, Hong Kong's competiveness has gradually declined in recent years, and our neighbouring regions are catching up. If we allowed the impact of Occupy Central on Hong Kong's status as a financial centre to spread continuously, the victims would only be Hong Kong and other innocent members of the public.

President, I sincerely hope that the Occupy Central saga can be resolved at soon as possible, and I support the Government in commencing a dialogue with the students. That said, in my opinion, the premise is that the students should think clearly about the purpose and subject of the dialogue, and refrain from changing positions constantly and putting forward unrealistic and unachievable options, such as the reversal of the decision made by the Standing Committee of the National People's Congress (NPCSC) on the selection of the Chief Executive by universal suffrage in 2017, or the reactivation of the "five-step mechanism" for constitutional reform by the SAR Government. As the NPCSC made the decision according to the Constitution and the Basic Law, it has its legal basis and should not be challenged. We may as well launch another round of consultation in the future to strive for maximum room for manoeuvre under the framework set by the NPCSC, so as to make our Chief Executive election more democratically contested. I wish to point out that it takes two to tango; both the protesters and the Government have to show the greatest sincerity for solving the problem. Only in this way can the overall interest of Hong Kong be served.

Lastly, I would very much like to make a fair remark. Many people, especially the protesters, keep pointing an accusing finger at the Government and the Police, while they themselves have disregarded the law by participating in the illegal Occupy Central and the unlawful road occupation, as well as challenging the Police's authority to take enforcement action. This will only tarnish their public image, damage social order, and make the community more divided. The Occupy Central Trio used the pure and innocent students as the vanguard of the movement initiated by them, resulting in the current uncontrollable situation; if this mess cannot be cleared up, they should be strongly condemned by society.

With these remarks, President, I support the Police in taking enforcement action in a professional manner, and I would like to tell those police officers who diligently enforce the law that many members of the public are right behind them and support them in maintaining law and order. I also hope that the Government can restore social order as soon as possible, so that we will not be distressed by the illegal Occupy Central any more. Thank you.

(Mr Albert CHAN stood up)

MR ALBERT CHAN (in Cantonese): President, I request a headcount in accordance with Rule 17(2) of the Rules of Procedure.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr CHAN Han-pan, please speak.

MR CHAN HAN-PAN (in Cantonese): President, I met with some friends of mine a few days ago to discuss the illegal Occupy Central incident, and we were sad to see a dissenting society. The general public hope that the incident can be resolved expeditiously, but such expectation is indeed hard to fulfil. A queer idea suddenly came to our mind, and we made an assumption. Assuming that the Legislative Council convenes a meeting now, will Members from the pan-democratic camp, seeing that the society is so chaotic, members of the public so seriously divided, and their living so seriously affected, urge the occupiers to give up and let society return to normal order? We all have such expectation. Regrettably, after yesterday's meeting, we have over-estimated the courage of the pan-democratic Members. They have not taken into account the overall interest of Hong Kong and the safety of the occupiers and the Police; worse still, some Members even rubbed salt into the wound, intensified the conflicts and wreaked havoc on Hong Kong.

Today, some Members even used the word magnificent to describe Occupy Central. Last night, I met with those friends again and had dinner with them. They expressed great disappointment with the pan-democratic Members. Among these friends, some have all along supported the pan-democrats, and they said that they were very disappointed. If today they hear that some pan-democratic Members describe the incident as a magnificent revolution, I am quite sure that they will lose all hope.

I remember that I have once watched a Hong Kong-produced film My Left Eye Sees Ghosts. In the film, three kinds of people can see ghost, and one kind of people can see ghost with only one eye. For those who can see ghosts with their left eyes, they can only see ghosts on their left. In fact, if they turn their head to their right, they can see ghosts on the right. Nevertheless, as the ghosts on the right have some sort of interest with the persons concerned — maybe the ghosts are their relatives or friends or are somehow related — these people are always reluctant to turn their head to the right. Owing to various reasons, they only say and are only willing to say that there are ghosts on their left and pretend that they do not see any ghost on their right. That is in fact cheating oneself as well as others. By telling others that there are actually no ghosts on the right, they have also deceived themselves. Then, in their concept, ghosts will only appear on their left but not on their right.

Yesterday, when Mr Alan LEONG spoke, he raised the theory of cause and effect, attributing the causes of the current chaotic situation to the Police's firing of tear gas. He also said that people of Hong Kong have the freedom of assembly. All these remarks prove that Mr LEONG probably only focuses on the outcome, while ignoring the point that if no one had initiated Occupy Central, and if people had not dashed onto the road or charged at the Police, the present situation would not have arisen. Certainly, we believe that the firing of tear gas has instigated some people — but not all — to come forward, but that was not the most critical cause of the incident. Was Mr LEONG's theory on cause and effect selective in nature?

We all recognize that people have freedom of assembly, but such freedom is subject to certain restrictions. Has Mr LEONG, being a senior counsel, forgotten that an application is required to hold an assembly? Does he not know that illegal occupation of roads has already gone beyond the norms of freedom? Does Mr LEONG only see ghosts with his left eye? It takes two to tango. Yet in this Chamber today, Mr LEONG merely mentioned how the Police handled people's assemblies and put the Police to a public trial. What about the people

who charged at the Police? Should we ask the Police to turn a blind eye to law-breaking acts? Mr LEONG, if you make unfair presentations in a selective manner, you are in fact conniving the public to keep charging at the Police, violating the laws, and disrupting social tranquility.

We saw on television yesterday that some police officers were allegedly assaulting a protester. For the pan-democrats, this incident is a priceless treasure. They acted swiftly by holding a press conference early in the morning, uploading instantly photographs of the victims to the Internet. The photos and personal data of the police officers concerned have gone viral on the Internet. The police officers have been put on public trial in the Internet even before an internal investigation is conducted. While Members declare repeatedly that thorough investigation should be conducted to see if the police officers have imposed extrajudicial punishment, they have taken pre-emptive actions to impose extrajudicial punishment in the Internet. How can they act like that? A judgment is made before trial. This kind of public trial will drag almost all Members and police officers into the mire and impose a death sentence on them.

It has been almost 20 days since the Occupy incident. Everyone has reached his emotional limit. In particular, police officers have to be on duty every day; they are very tired and worse still, they have constantly been verbally insulted. They are caught between pro- and anti-Occupy participants, and cannot please both sides. At one time, they have to clear the scenes, but at another time, they have to protect the protesters. Police officers are not saints, but people of flesh and blood. Physically, they have to withstand assaults while mentally, they have to bear curses. They are indeed physically and mentally exhausted.

Imagine if you were a police officer, you put on your uniform and your work never ends. You never know when you can finish work. After working continuously for 30 hours, you are dead tired, but that is not the biggest problem. The biggest problem is that the job nature is obnoxious. I trust police officers want to punish wrongdoers, and none of them want to take actions against the common people. They have sworn to protect the lives and properties of the people, and they have never imagined that they actually have to protect someone who breaks the law. As members of a disciplined force, they cannot refuse to take orders from the higher ranks. Their dilemma is actually easy to understand.

I have watched a video clip on the Internet. A group of police officers were booed and cursed by some onlookers during shift handover. "Get back to

your 'kennels'! Go eat shit! Don't forget who pay you!" Do you think every police officer can bear such abuses? The prolonged suppression of emotion has indeed gone against the norm. If the situation continues, I am worried that sooner or later it will come to a burst.

Honestly, since the circulation of a video clip showing the assault of protesters, I am greatly worried that people have reached a critical point. If the situation continues to worsen, I am worried that serious incidents would happen. Certainly, the police officers who allegedly assaulted others should be handled seriously. As far as I understand, they have been suspended from duty. I really do not understand why there are still Members who show overwhelming love to harbour those who have blatantly broken the laws, provoked and even assaulted others? On the contrary, police officers who speak in a louder voice or enforce the law with stronger force will be strongly criticized and condemned.

I heard from the news that Mr James TO called those officers "black cops", saying that the Police have already gone out of control because police officers inflict torture, and they should be sentenced to life imprisonment. With his eyes filled with tears, Mr LEE Cheuk-yan said that he was sad because Hong Kong had become totally lawless. After hearing such comments, if you have been watching news over these 19 days, you will understand why law-enforcement officers are so angry. Who have gone out of control in these 19 days? Who have actually defied the law?

I do not agree to imposing extrajudicial punishment and I hope that pan-democratic Members who are now in the Chamber will, in attacking the Police when they are in great difficulty, consider carefully who will eventually suffer if we shake the morale of the Police and take away their power. Perhaps the organizers of Occupy Central are happy about the present situation, but please, for conscience's sake, help to give some advice. Among the protesters, there are many young people with a promising future, and some of them are members or even staff of pan-democratic political parties. Please advise these protesters to stop. We have to avoid more people getting hurt. Here I implore various pan-democratic Members to let Hong Kong off. Surely, political issues have to be resolved by political means; such issue should be resolved by the Legislative Council which is specially tasked to deal with political issues. Bringing political issues to the streets will not have good consequence.

President, I so submit.

MR TAM YIU-CHUNG (in Cantonese): President, "How many hardships and sorrow, a man has to bear in life; how much despair and worry, a man has to stand in life; strong-willed I shall be, to pass the test and trials". These words are part of the lyrics of a song so familiar to all of us, and I believe that they precisely reflect the inner thoughts and feelings of some 30 000 police officers in Hong Kong at present. Over the past three weeks, despite being charged at, challenged and provoked by the protesters, the Police have been performing their duties to the best of their ability and exerting unparalleled efforts in maintaining social order in Hong Kong. I am sincerely grateful to them.

In recent years, some local organizations and media have, for the sake of certain hidden political agendas and interests, kept organizing a small number of radicals during large-scale mass movements to violate the law and the Police's arrangements, create conflicts between the Police and the public, and charge at police cordons; and they have, based on such charging incidents, made up and spread false accusations of the Police "enforcing the law with violence", so as to undermine and tarnish the Police's reputation and credibility, thereby creating a climate of opinion in support of future large-scale illegal activities of disruption of public order. The ongoing illegal occupation, which has lasted for almost three weeks now, is the best testament to that.

Let us look back on the course of the whole illegal occupation. The illegal occupation was kicked off on 28 September by the Hong Kong Federation of Students, Scholarism and the Secretariat of Occupy Central with Love and Peace, but according to reports, after the idea of illegal occupation was mooted by Benny TAI as early as January last year, Jimmy LAI, the major financial supporter of the pan-democratic camp, has not only funded this illegal occupation, but even went to Taiwan last year to secretly meet with SHIH Ming-teh, a leading advocate of Taiwan independence. As revealed in the recently exposed audio recordings of a conversation between LAI and SHIH, LAI sought SHIH's advice on how to follow the example of the Arab Spring in promoting the illegal Occupy Central, and SHIH suggested arranging for "actors or actresses" from various sectors to encourage public participation. Worse still, SHIH even suggested that if Hong Kong was to stage the Occupy movement, students had to shed their blood, or else Occupy Central would not succeed. After the secret meeting between LAI and SHIH, a number of the chief organizers of the illegal occupation, such as Rev CHU Yiu-ming, who is one of the Occupy Central Trio, Mr LEE Cheuk-yan of the Labour Party and Dr Joseph CHENG of

the Alliance for True Democracy, visited SHIH. It is thus clear that the motive and purpose of the whole illegal occupation are by no means …

(Mr Albert CHAN stood up)

PRESIDENT (in Cantonese): Mr TAM, hold on please. Mr Albert CHAN, what is your point?

MR ALBERT CHAN (in Cantonese): President, since Mr TAM Yiu-chung enjoys so much reading his script, which even implicates Mr LEE Cheuk-yan, it would be better to invoke Rule 17(2) of the Rules of Procedure to summon Mr LEE Cheuk-yan back to listen to Mr TAM Yiu-chung's accusation against him.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(While the summoning bell was ringing, Mr IP Kwok-him stood up)

PRESIDENT (in Cantonese): Mr IP Kwok-him, what is your point?

MR IP KWOK-HIM (in Cantonese): A point of order. I heard the Honourable Member make some comments as a preamble before requesting a headcount. Is that inappropriate?

PRESIDENT (in Cantonese): Mr Albert CHAN, let me remind you again. You may point out to me that a quorum is not present in the Chamber, but you should not take this opportunity to express any other views.

MR ALBERT CHAN (in Cantonese): Thank you for your enlightenment, President.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr TAM Yiu-chung, please continue with your speech.

MR TAM YIU-CHUNG (in Cantonese): President, before I continue with my speech, I would like to caution Mr Albert CHAN that he should not do this again. It is pointless to do so. This Council has just resumed its business, but he keeps requesting headcounts, which is wasting this Council's time.

Alright, I now continue with my speech. It is thus clear that the motive and purpose of the whole illegal occupation are by no means "love and peace" as emphasized by its organizers. Rather, it is a movement orchestrated to cause disorder, conflicts and breaches of social tranquillity.

Noting the messy situation that has lasted for three weeks now, Mr CHEN Zuoer, former deputy director of the Hong Kong and Macao Affairs Office, has remarked that the illegal Occupy Central is, by nature, a colour revolution, in which actions are taken according to the steps set out in a booklet compiled by the intelligence agency of a certain country. Mr CHEN has further pointed out that "every step or slogan in the movement is intended to progressively pressurize the Central Government and the SAR Government; its nature remains unchanged no matter how nice its name is, and there is a huge conspiracy behind it". As the major advocate for the illegal occupation, the pan-democratic camp has repeatedly stressed that the illegal occupation this time around is merely a fight for the so-called genuine universal suffrage, and is absolutely not a colour revolution, saying that such a comment has cast aspersions on the illegal Occupy Central.

However, as pointed out by a local political commentator, if we examine the course of the colour revolutions in Kyrgyzstan and Ukraine, as well as the Arab Spring, we will find that there are a lot of similarities between the illegal occupation and the colour revolutions in terms of the characteristics of the steps taken. First of all, the activists would keep using livelihood problems and political issues to instigate anti-government confrontations, both on the streets and in the legislative assemblies, with a view to undermining the prestige of the governments. Thereafter, they would, by taking control of student unions, organize some workshops to train students how to mobilize the public and how to lure students to iconic government squares, where there would be discussions on common democratic issues at first, followed by sudden changes of topics with

calls for radical actions against the governments. Then, through live announcements, the Internet and mobile phone short messages, they would create different topics and rumours every day to attract more people to the rallies.

Some analyses have suggested that Mr Jimmy LAI, being the money man behind the illegal occupation, and the political parties and groupings of the pan-democratic camp, being the major advocate for the illegal occupation, have established close and inseparable ties with external forces such as the United States and Taiwan in the open or on the sly, whereas the United States is now pursuing its strategy of returning to the Asia-Pacific region in an attempt to suppress the development of China. The current messy situation of illegal occupation that has broken out in Hong Kong represents an attempt by the United States to start a colour revolution in Chinese territories, which is a move to disrupt the overall development of China.

Amid the chaos of illegal occupation over the past three weeks, the Police have been subjected to criticisms, reproofs, and even smears, aspersions and slanders. All these mainly centre around three allegations. First, the firing of 87 tear gas canisters and the repeated use of pepper spray on 28 September, the day the Occupy Central movement started, were an abuse of force on peaceful protesters. Second, during the clashes between the Occupy Central participants and opponents in Mong Kok on 3 October and at Queensway on 13 October, the Police were partial to anti-Occupy people with triad backgrounds. Third, some police officers allegedly assaulted a protester in an operation at Lung Wo Road in the early morning of yesterday.

Yet, quite a number of video clips on Facebook and YouTube show that on 28 September, when the Police were maintaining public order, hundreds of protesters wearing helmets and goggles kept using umbrellas to slap and poke the police officers on duty. Some protesters appeared to have held up their hands, but according to information, some of them kept kicking the police officers, and some slapped the police officers with umbrellas. The so-called peaceful means of protest in the form of "kicking with hands up" rendered many police officers injured. One of the police officers suffered a 12-cm long wound. Therefore, on that day, it was only inevitable for the Police to use tear gas and pepper spray to maintain a distance between police officers and protesters, and to ensure their safety.

As for the clashes between the Occupy Central participants and opponents in Mong Kok on 3 October and at Queensway on 13 October, in order not to stimulate the sentiments of the participants, the Police deployed very limited manpower at the places concerned before the two confrontations took place. As a result, after the clashes broke out between the two sides, the police officers on the scene could hardly control such massive conflicts despite their utmost efforts to maintain order, and the situations only improved when the Police subsequently sent in further reinforcements.

In addition, some pan-democratic Members have reproached the Police for collaborating with the triads and conniving at the triads' clearance actions. But according to a report published on the Chinese website of the *South China Morning Post* on 13 October, triad members are currently involved in the pro- and anti-Occupy Central activities. Also, during the clashes in Mong Kok on 3 October and at Queensway on 13 October, the Police did arrest triad members who created conflicts. If the Police really collaborated with the triads, why did they arrest those triad members? I believe that no sensible person will consider this allegation reasonable. It simply does not hold water. Moreover, combating triad activities has all along been a very important task and mission of the Police, so how could it be possible that there was collusion between the Police and the triads?

Lastly, regarding the alleged assault on a protester by police officers during the clearance operation at Lung Wo Road in the early morning of yesterday, the Police, the Complaints Against Police Office and the Independent Police Complaints Council have undertaken that in-depth investigations will be conducted. If the findings of the investigations point to misdeeds or even breaches of the law on the part of the police officers, the Chief Executive has also undertaken that this will be dealt with seriously.

Despite being faced with a torrent of untrue, unreasonable or even trumped-up and slanderous accusations, as well as provocations and abuses from Occupy Central participants, the Police have been doing their level best to maintain public order in Hong Kong society earnestly and sincerely with a professional and impartial attitude.

The efforts made by the Police have earned widespread public support and recognition. After the outbreak of the illegal occupation, many members of the public and organizations have, of their own accord, visited different police

stations across the territory to extend their regards to the Police by giving police officers fruit hampers, greeting cards and gifts. Such heartening scenes bring to mind the motto "You'll never walk alone" of the eminent Liverpool Football Club of the Premier League. I believe that all Hong Kong people who love harmony, respect the rule of law, and want a prosperous and stable society, will stand by the Police.

In this connection, I wish to call on the protesters who are still taking part in the illegal occupation to stop and think about whether they should continue with their participation in the illegal occupation. First of all, the demands of the illegal occupiers for civil nomination, and so on, are inconsistent with Article 45 of the Basic Law, and such aspirations cannot and should not be realized. In the whole illegal occupation, apart from turning Joshua WONG from a student into a person featured on the front cover of *TIME* magazine's Asia edition, and enabling some illegal occupiers to enjoy hotpot food, play table tennis and play mahjong on Nathan Road, what can other participants get?

The whole illegal occupation has resulted in the blockage of a number of major traffic arteries. This has seriously affected people travelling to work or to school, and impaired the business of shops around the areas occupied as well as the jobs and income of workers, thus arousing huge public indignation and resentment. More importantly, the occupiers' illegal actions are seriously damaging and even destroying what is deemed the most important core value of Hong Kong, that is, the spirit of the rule of law. The slogan "sheer lawlessness" now displayed at the benches of pan-democratic Members is an apt depiction of the situation. I have recently received an email from a member of the public. He has expressed his view on the illegal occupiers in a couplet which reads "Harming every member of the public in general; Troubling every sector of the community at large", with an explanatory note that reads "Such being the case, why not pull out?" So, I hope that the participants in the illegal occupation can vacate the occupied areas as soon as possible. It serves no purpose for them to carry on until they are held criminally liable and become downright detestable, by which time it will be too late to regret.

Finally, I strongly urge the Police to find out the backstage manipulator of this illegal occupation, and to hold its organizers and advocates both civilly and criminally liable, so that the rule of law and justice will be upheld, and the grievances of the victims of the illegal occupation will be redressed.

MR TOMMY CHEUNG (in Cantonese): President, this is already the 19th day since the Occupy action commenced on 28 September. Honestly speaking, I am more inclined towards sympathizing with the Police during this period as they have regrettably been caught in the middle. Indeed, we can hardly make a sweeping generalization here. At times when the crowds are in heated argument, it is inevitable that some police officers may become impulsive and have lost self-control, and are thus impartial in law enforcement. But generally speaking, the Police have all acted with restraint.

As regards whether the Police have been impartial in law enforcement, imposed extrajudicial punishment or deliberately set free those who have inflicted bodily harm or committed indecent assaults, I think we must handle the whole issue in a pragmatic and realistic manner. Persons who have allegedly been unfairly treated should produce evidence to the Complaints Against Police Office, or they may even lodge complaints to the Independent Police Complaints Council and request the latter to look into such cases solemnly. We should avoid magnifying single incident infinitely and building up our discontent continually, hence tarring every police officer with the same brush.

As a matter of fact, the Police cannot win whichever way they go. The protests and rallies are conducted without authorization and are thus unlawful. It is right and natural for the Police to act in accordance with the laws. From some video clips, I can see that some protesters climbed onto police cars and used foul language to insult police officers. This is absolutely unfair to police officers who are working in the forefront. I implore members of the public not to vent their anger on police officers.

After all, this demonstration is unprecedented in the history of Hong Kong in terms of the number of participants, the scale and the areas affected. This, coupled with frequent and scattered confrontations between members of the public, has presented great challenges for the Police.

Some people say that the Occupy Central Trio should be thankful to the Government as they initially worried that not many people, say only a few thousand, would support the movement. Yet, on 28 September, the Government adopted tough measures by ordering the Police to besiege the protesters which ultimately ended in the Police being besieged. With the firing of 87 canisters of tear gas at the protesters, tens of thousands of people were instigated to come forth to protect the students and in turn took part in Occupy Central, rendering the Occupy movement out of control.

Looking back, it cannot be denied that there are areas for improvement in handling these assemblies. But I believe that the Police will, in light of the development of the event and the prevailing circumstances on the scene, adjust its deployment plans and strategies from time to time. Following the chaotic confrontations that took place in Mong Kok on 3 October, the Police had deployed additional manpower to station there the next day and a number of persons with triad background were arrested. I thus hope that we can show more understanding for the Police and give them more room.

After all, the root of the problem does not lie in the Police and we should not shift the blame on them. The Police will continue be caught in the middle if the conflicts between the Government and protesters cannot be resolved. For this reason, I once again urge both the Government and the protesters to respect each other and initiate a new dialogue for the benefit of the public. Furthermore, the dialogue should be conducted in a pragmatic, rational and sincere manner in a bid to resolve the conflicts between them, such that the Occupy movement will end peacefully as soon as possible, and social order will thus be restored.

President, recently a group of police officers have modified the lyrics of the song You Raise Me Up, and the Cantonese version is titled "無怨的信念" (Belief Without Complaints).

"With strong will, in faith do we unite
When in distress, we will still march ahead
When hopeless feels, rely us to be your stand
When danger falls, police will always be there

Rallies charging, challenges I will not bend
Curses hurling, reasons are all but fake
Never give up, at front line I will stand
This belief, police will not forsake"

I found this song titled Belief Without Complaints on the Internet. Nowadays, we can find all kinds of information on the Internet, though at times I doubt their validity. I personally like the lyrics of this song very much. This song lasts about three minutes and I am grateful to our Honourable colleagues for bearing with me in the past one minute or so. Actually I will finish the song in just about one more minute.

"Grievances held, for reasons that are twisted
Howls of resign, right the wrong should first seek
Shout and yell, bias we are imprisoned
A smiling face, mutual support is all we need

Rallies charging, challenges I will not bend
Curses hurling, reasons are all but fake
Never give up, bias we are imprisoned
A smiling face, mutual support is all we need

Grievances held, for reasons that are twisted
Howls of resign, right the wrong should first seek
We must fight, at front line I am enlisted
Steadfast we hold, bright future we will meet

With no regrets, I'm a POLICE!!!"

"I'm a Police." This is the end of the song.

Lastly, President, I would like to say a few words to the Police. I understand that you all have worked so hard over the past couple of days, and I also know you have been exercising your tolerance in face of the grievances aired by many members of the public. I wish to pay my tribute to you all. I very much hope that you will relieve your pent-up emotions in a proper way and never vent your anger wrongfully. With the said belief in mind, I hope all police officers can discharge their duties with utmost professionalism, thereby establishing a relationship of mutual trust with the public. Hopefully all Hong Kong people will say in one day, "We love Police."

President, I so submit.

(Mr CHAN Chi-chuen stood up)

PRESIDENT (in Cantonese): Mr CHAN Chi-chuen, what is your point?

MR CHAN CHI-CHUEN (in Cantonese): President, I request a headcount.

PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

PRESIDENT (in Cantonese): Mr James TIEN, please speak.

MR JAMES TIEN (in Cantonese): President, the song which Mr Tommy CHEUNG sang just now is very difficult to master. He might be affected by stage fright; I can only hear half of the lyrics. I have read the lyrics and I think they are very meaningful. I hope Mr Tommy CHEUNG can send us the lyrics after the meeting so that we can read carefully.

President, I was out of town recently, but I left Hong Kong after 28 September. When I was in overseas countries, I noticed that the major international broadcasters, including BBC, CNN, France 24 and Al Jazeera, broadcast the scene of tear gas firing in Hong Kong in their half-hourly and hourly news reports. That upset me. Many overseas friends who had watched the news asked me why this happened in Hong Kong as Hong Kong was not in the Middle East, it did not have to deal with ISIS and was not in Syria. I did not have an answer because the issue was very complicated. My friends asked me whether the incident was related to the election problems, as reported in the news, but in my view, the issue is not that simple. Of course, I know that the subject of our debate today is the handling of people's assemblies by the SAR Government and the Hong Kong Police since 26 September this year, but I think the reasons behind this incident might have existed even before 26 September.

I spoke in defence of Hong Kong before my overseas friends. I pointed out that these incidents were trivial when compared with what usually happened in some foreign countries. No one has been killed, and no police officer or protester has been seriously injured. In other countries, when assembly participants and protesters confronted with law-enforcing police officers, even if no one was killed, many people would have to be taken to hospitals in ambulances. I told my friends that though this incident seemed horrifying, we should not draw a direct comparison between these confrontations and similar incidents in other countries. My words had dispelled their fear. In the past two

weeks, I had been overseas, watching the news reports on Hong Kong. Many people may wonder, since Hong Kong has all along been an economy-centered city that enjoys peace and stability, and it neither has racial problem nor religious problem as in the case of countries in the Middle East, and the only problem that it has may only be wealth disparity, why then have things come to this pass?

Some friends who travelled with me this time are from the business sector. The incident took us and me in particular by surprise. Being engaged in politics for many years since the reunification, I have some thoughts on this incident. Let me summarize them now. It seems that the Government and Members of this Council do not have a good grasp of what is happening in our society. Are our young people holding grievances because property prices have remained so high over the last few years that they cannot buy their own homes? Are the SAR Government and the public holding different views on various issues? Do people (myself included) have different comments on the deeds of the Chief Executive? Do all these factors add up to the current situation? As pointed out by the Secretary for Security in answering questions in this Council yesterday, many people joined the assemblies, and later people with different backgrounds came to support the protesters. Of course, when the Secretary mentioned people with different backgrounds, I know he was not referring to Mr TSANG of the Civic Party who was involved in yesterday's incident, but other people with different backgrounds. Those people with different backgrounds may hold grievances against the Government because of its performance over the last couple of years, including the handling or clearance of unauthorized building works (UBWs), the policy on national education, the wealth gap, people's failure to find a good job (although the unemployment rate is only 3.3%) or their discontent about their families. Anyway, many people have come forward to give their support. I believe detailed discussions are needed to resolve the problems.

Last year, when the Occupy Central Trio first put forward the Occupy Central proposal, the Liberal Party immediately raised objection. We pointed out in our advertisement that Occupy Central would smash "rice bowls", lead our children astray, paralyse Hong Kong, damage our economy, tear society apart and tarnish our international image. There are still hundreds of taxis running over the territory displaying these slogans. The only issue we have not mentioned is the problem related to the election. However, we are not proud of our accurate prediction, instead I feel sad as our predictions have come true.

Let me tell the Occupy Central participants, now that they have lit a fire, they may not get things under control, and the movement may no longer be peaceful. Certainly, people have different views on whether the current demonstration is peaceful or not. In the past, assemblies in Hong Kong were peacefully conducted as the participants just staged peaceful sit-ins. But now, the Police are caught in the middle. Students who join the peaceful assemblies may truly be peaceful, but people with different backgrounds who join in to offer help may not be so peaceful by the standard of Hong Kong. Of course, when compared with protesters overseas, they are peaceful. The Police have all along been trusted by Hong Kong people in dealing with Hong Kong affairs. As Members of the Legislative Council, after we have scrutinized the bills and enacted the law, we need someone to enforce the law. We do not want Hong Kong to become one of the places (the Mainland included) in which many laws enacted are not enforced. What is the point of enacting the laws if they will not be enforced?

Regarding the recent incident, we consider that the current situation is serious because the Police basically have not enforced the law against the assembly participants. Friends in the business sector have particularly raised this point of view. When Chief Secretary Carrie LAM was the Secretary for Development a couple of years ago, all UBWs had to be removed, be it a whole floor of building or just a balcony. How then can people be allowed to set up tents on roads? How can such acts not be considered as unlawful? In fact, the relevant laws under the purview of the Lands Department, the Highways Department and the Buildings Department have already been contravened, why does the Government or the Police not enforce the law? Of course, we understand that even though the Government has been very tolerant in not removing the tents according to the law, serious incidents have still been resulted. If the Government had adopted a tougher stance in law-enforcement right from the beginning, the situation could have been worse. We understand why the authorities have been tolerant so far, but it seems that they do not know what to do next.

Many people were shocked that the Police fired tear bombs or tear gas in the afternoon of 28 September and considered the incident very serious indeed. The Police later explained that tear bombs or tear gas, often used overseas, would inflict a lesser degree of harm to the human body than pepper spray. However, many people still considered the matter serious and they came forward to support the students. Since 28 September (Sunday), the Government has changed its

practice and refrained from taking any action at all. It seems that the Government and the Police have turned a blind eye to what the protesters have done, be they unlawful or not.

Over the last two weeks, many people have raised complaints, including the middle-class who were stuck in traffic jams and the grassroots who had difficulties in getting to work. For business operators, as pointed out by Members representing the catering industry, the transport industry and the retail trade, they have suffered great losses. Business operators can still bear the loss if the situation only lasts for a couple of weeks, but if the situation lasts longer and they cannot pay the rent, can they refuse to pay rents to their landlords? The landlords will say that they have used the property as collateral to seek financing from banks, and they have to pay interest. Can the landlords tell the bank that they cannot pay the principal and the interest because they have not received the rent? Do we expect banks to repossess all secured properties? It is evident that if the situation continues, the impact will be huge.

I will talk about the tourism sector now. Although I am no longer Chairman of the Hong Kong Tourism Board (HKTB), I still keep in contact with its staff. The Executive Director of the HKTB called me yesterday, he said that people usually book Christmas tours at this time of the year instead of in November, but the number of bookings has been greatly reduced this year. If the incident extends a few more weeks, I believe turnover of tourism in the peak season (including the months of November, December and January) will be hard-hit. And it will not be easy for many small and medium enterprises of the catering industry and the retail trade to recover from the hit. Therefore, I hope people will really consider this aspect.

Now I will talk about the Government and in particular, the Police's handling of the matter. We agree that according to the normal procedure of arrest, the Police will first take the assembly participants onto a police vehicle and institute prosecutions against them later. No one will give consent to the scene that happened two days ago. Yesterday, the Secretary for Security made a statement at the outset on Mr TSANG's case, indicating that the Government would conduct an investigation impartially. After listening to the oral question session and the debate in the Legislative Council for more than a day, I noticed that no Member has raised any objection. Certainly, many Members think that since an investigation will be conducted, it should seek to find out the truth. As there are different accounts of what had happened, they hope that the Government

and the Police will conduct an impartial and fair investigation. The police officers in question have now been interdicted from duty and it is good to know that they will not handle the matter any further. I hope that the findings of the investigation will be released as soon as possible.

President, with little speaking time left, I would like to talk about an important view. Having been engaged in politics for many years, I have always been optimistic about the implementation of "one country, two systems" since the reunification. After my return to Hong Kong about two days ago, officers of both the Liaison Office of the Central People's Government and the Beijing authorities have approached me. Certainly, I told them about my views, which are more or less what I have just said. However, I hope to share with Members from the pan-democratic camp the view of these officers.

In the past, in implementing the principles of "high degree of autonomy" and "Hong Kong people ruling Hong Kong", the Central Authorities had given a free hand to Hong Kong in dealing with various matters. At present, they cannot and do not want to intervene with our economic and livelihood issues. However, in respect of political matters, Members from the pan-democratic camp found the decision of the Standing Committee of the National People's Congress unacceptable. They consider that we cannot have genuine universal suffrage or there is an element of screening in election. We have to understand that from the perspective of the Central Authorities, after implementing the principle of "one country, two systems" for more than 10 years, many Hong Kong people, including young people who have taken to the streets, have attached too much importance on the "two systems". They should not be blamed for having this idea. Personally, I do not have much chance to communicate with young people, as my grandchildren are less than 10 years old and my children are already in their thirties. The students out there are teenagers and I really do not know what they are thinking. If they think in the way I mentioned just now, the problem will be serious. I know that people from the pan-democratic camp have spoken with the students and given them advice, but if the students do not even listen to them, I or any member of the Liberal Party will surely find it more difficult to act as a middleman and it seems that there is no way to communicate with the students.

At present, the Central Authorities have described the incident as a colour revolution. These are not my words as some published information has also contained this comment. Some say that this is an Umbrella Revolution, only umbrellas are used. According to the President of China, from the incident

concerning the enactment of legislation to implement Article 23 of the Basic Law 11 years ago to the national education incident two years ago, the Central Government has been very tolerant all along. However, in the views of the Central Government, the issue of constitutional reform is related to how the Chief Executive and Members of the Legislative Council are to be elected, and this is a matter of sovereignty but not governance. For the Central Government, Hong Kong can take care of its administration matters, but it surely cannot act on its own. If Hong Kong acts on its own and makes its own decision, what is the position of "one country" in the concept of "one country, two systems"?

I am very worried about the future development of this incident. Initially, we have been hoping that people will pocket the proposed election option first and make further progress after 2017. However, given the current views of the Central Government and that a decision has been made, I think the pan-democratic camp has now taken a step backward in their fight for democracy. As the Central Government has become increasing concerned about the matter, it has adopted a hawkish approach and a hard line. This is not only detrimental to fulfilling the goals of the pan-democratic camp, but also has adverse effect. More worrying still, as some Members of this Council have now launched a non-co-operative movement, the Central Government may consider that Hong Kong will be in a state of anarchy. I am very worried about this situation.

Thank you, President.

MR LEE CHEUK-YAN (in Cantonese): Mr James TIEN just now expressed many views from the perspective of the Central Authorities, but I think we should expound our views from the perspective of Hong Kong people. If Mr James TIEN wishes to grasp the views of young people, I am willing to accompany him to the occupied areas to discuss with the students. If we must wait until his grandchildren have grown up, I am afraid the discussion may only take place some 10 years later.

President, I believe the movement itself accentuates Mainland-Hong Kong conflicts. In Hong Kong today, we all talk about Hong Kong as our home turf. The rights, the democratic rights, of Hong Kong people were promised by the Central Authorities, and Hong Kong people are merely striving for the rights we are entitled to. Therefore, there is no reason whatsoever to slander Hong Kong people. It is actually very dangerous to accuse Hong Kong people of staging

colour revolution. I do not know whether the pro-establishment camp has been abetting the Central Authorities ― I believe Mr James TIEN will not do so ― the pro-establishment camp should not abet the Central Authorities to believe that Hong Kong people are staging colour revolution. Hong Kong people are merely striving for rights promised to us under the "one country, two systems" principle, that is, Hong Kong people have the rights to enjoy universal suffrage, and Hong Kong people can choose their own Chief Executive by themselves, rather than under the existing proposal where Hong Kong people can only select the candidates pre-elected by the Central Authorities. This is in no way universal suffrage Hong Kong people aspire to. The contradiction lies in here.

Over the past 18 days, we have witnessed the spirit of fearlessness on the part of Hong Kong people. Previously people might disdain Hong Kong people, they might disdain civil movements and the Occupy Central movement initiated by the Occupy Central Trio. Now, let us take a look. Hong Kong people really aspire to genuine universal suffrage. Over the past 18 days, the movement has gone beyond the imagination of all of us here. Though we have often participated in social and democratic movements, we still cannot imagine that Hong Kong people can stage such a magnificent democratic movement. The spontaneous, well-disciplined, peaceful and non-violent participants, who were fearless in the face of tear gas, have attracted worldwide attention and moved all across the globe. When observing this movement in Hong Kong, people over the world could not help wondering why the people did not react to the firing of tear gas by hurling objects and fighting back. All this serves to prove the high-quality resistance by Hong Kong people. The aspiration of people in the Umbrella Square is basically avoiding any conflicts, sitting down to protect the students and holding dialogue with the Government.

I would like to pay tribute to all Hong Kong people participating in this movement, because their action awakens all people in Hong Kong, and enables all people in Hong Kong, the Central Government and the SAR Government to see that Hong Kong people hold fast to genuine universal suffrage. Members visiting the square will observe a spontaneous spirit of caring each other and loving this movement. Some often accuse young people of disliking hard work, but look how hard-working they are now. Some also say young people are pampered, but those who do the daily cleaning these days are all young people. Stop saying they are pampered, because they love and care for their square, and they clear all rubbish. Pay a visit to their toilets and you will see how clean they are. They clean their toilets at three or four o'clock in the morning. Members

may pay a visit there. Considering this spirit, people should stop belittling our young people. Take a look at their Lennon Wall, where so many people have posted their aspirations. Also take a look at this Umbrella Man. There are even self-study spaces in the square for people to study, making the place look like a cozy neighbourhood. We all love this place.

Most pathetically, however, while people love this place, love Hong Kong, the Government simply wants to destabilize Hong Kong. What is the tipping point of this movement? Various parties in the community have certainly played a role in promoting the movement. The education sector, the Occupy Central Trio, the pan-democratic camp, civil organizations and social movement organizations jointly did a lot of preparatory work to realize the movement. But, who has kindled the fire? After all, it is LEUNG Chun-ying and the Standing Committee of the National People's Congress (NPCSC). If they had not kindled the fire … what we did in the past was merely making proposal, but the fire was kindled by them. LEUNG Chun-ying is self-righteous, thinking that the pan-democratic camp, social movements or democratic movements can come nowhere, and he insists on adopting a hard-line approach given the support of the Central Authorities. I do not know what he has told the Central Authorities that made the NPCSC "shut the door".

Therefore, as far as this movement is concerned, the Government has made three mistakes with regard to constitutional reform. First, the constitutional reform report itself conceals facts and misrepresents the state of affairs, contradicting the actual situation in Hong Kong. If the Government invokes the Basic Law and claims that the actual situation must be considered, the actual situation in Hong Kong is that Hong Kong people want genuine universal suffrage. The Government says that the mainstream views in Hong Kong are that people have no special preference, and they are happy with "one person, one vote" without any regard to nomination. This saying is false, as Hong Kong people are not that stupid. We do not want North Korean-style universal suffrage, and we must fight for our nomination rights. We do not want the Chinese Communist Party to select candidates for us, offering us a bad orange and a bad apple. We want to choose our own candidates. We have made this point very clear, but the Government turns a deaf ear to our voices and the voices of the public.

In addition, after the "622" referendum, in which some 700 000 people came out to cast their votes to clearly affirm civil nomination as one element for

universal suffrage, the Government again failed to listen to people's voices. Ultimately, the NPCSC "shut the door". The door is shut so tight that it takes everyone by surprise. It is definitely "risk-free" in their opinion, and the screening leaves absolutely no room whatsoever for genuine universal suffrage. The nominating committee must be composed of four sectors, a candidate must obtain the nominations of half of the committee members, and the number of candidates shall be two to three. As Members all know, the Chinese Communist Party basically controls some 80% of the members from the four sectors of the nominating committee. It is impossible for the pan-democrats to obtain the nominations of half of the members; they can at most obtain some 10% of the nominations. The demand of the pan-democrats is not for benefiting themselves, but represents a sort of public opinion, that is, Hong Kong people want to be the masters of their own city and the political power shall be returned to the people. However, the Government paid no attention, and the NPCSC paid no attention. The door is shut and we are deprived of genuine universal suffrage. Hong Kong people were then forced to come out through a movement, and the students initiated a class boycott.

In fact, as Members might have seen, during the several days of the class boycott initiated by the students, public support for the students' striving for genuine universal suffrage was keen. But the Government turned a blind eye to the event and took no action at all. At the night when student groups held an assembly, some students tried to enter the civic square, but what was the tactic of the Government? The Government further flared up Hong Kong people's anger by arresting Joshua WONG and detaining him for over 40 hours, making the whole world find the Hong Kong Government shameful. More ridiculously, the Government released him only after a writ of *habeas corpus* was issued by a judge. The Government also besieged the students and other protesters in the civic square for dozens of hours, and treated them harshly by forbidding them to go to the toilet or to have food. This deed infuriated members of the public. Furthermore, the Government not only sealed off the civic square, but also quietly sealed off all protest venues nearby. Since the Government and the Police did not allow people to enter the protest areas, they had to stand outside and thus MTR Admiralty Station and the areas in the vicinity of the Hong Kong Academy for Performing Arts were brimming with people. These people were forced to walk onto the street and eventually turn Harcourt Road into the Umbrella Square. At that night, the Government fired 87 tear gas canisters. Members saw scenes of tear gas firing in Admiralty, but the firing of tear gas in Central, as we were

informed, was even more frightening. The Police expelled some 10 protesters while tear-gassed them.

In addition, to provoke us further, the Government confiscated our audio equipment and arrested Mr Albert HO, Dr Fernando CHEUNG and Ms Emily LAU, only because they wanted to move the audio equipment into the protest areas. The Government later connived at triad violence, but luckily some 10 000 people besieged those 1 000 triad members, and saved the students and other protesters. Later, Carrie LAM reneged on her words and called off the meeting agreed to be held previously, and the reason given was that a venue could not be identified. While LEUNG Chun-ying has been holing up and reads from a script every day, Carrie LAM has become an outsider. I believe that she was also an outsider today, as if she would be driven away by LEUNG Chun-ying as soon as she approached the microphone.

What is most saddening is the beating of a peaceful protester, Ken TSANG, by the Police. We demand the arrest of the "black cops". We were certainly infuriated when we learnt from the Secretary for Security yesterday that the seven officers in question had already been transferred to other posts. Today we were informed that they would be suspended pending investigation. But we want to know when prosecution can be initiated against them, because the beating has been witnessed by the whole world. At this juncture, the most popular slogan in Hong Kong is "beating you up in dark corners while claiming to be open and aboveboard". The cops could not wait to start the beating till they boarded the police vehicle; they just started to beat the protester up in a corner of the park. I do not know whether any other people were beaten up in the vehicle. In my view, it is crazy and scary for the Police to use such violence.

Dr CHIANG Lai-wan said just now that since we received no training in the police profession, we should not criticize the Police. Since Dr CHIANG has not received any legislator training, should she still be a legislator? Why does she still comment on policies? The Police obviously should not beat up anyone and it is common sense that imposing extrajudicial punishment is not right. Is any training needed in this case? Should training be required before one comes to understand that the Police should not arbitrarily beat people up?

We certainly understand the pressure faced by the Police. According to the information available to me, the Police hold grudges not only against the protesters, but also against LEUNG Chun-ying. According to the remarks of

LEUNG Chun-ying, the decision to fire tear gas had nothing to do with him, but the order to stop the firing seemed to be made by him, and the Police were all the "bad guys". In fact, we firmly believe that even if LEUNG Chun-ying did not order officers on site to fire tear gas, the relevant plan was already formulated in advance, so that the Police could do so on site. When LEUNG Chun-ying said that he ordered the Police to stop the firing, the Police were certainly unhappy. I believe that the Police were also unhappy that triad members were mobilized. These triad members were not mobilized by front-line officers. No one knows where these triad members come from, but police officers have to deal with them. I believe the Police were greatly angered.

The Police are stuck between two opposing sides, and we fully understand the pressure faced by them. At the same time, I would like to tell the protesters: we stage this movement to strive for democracy; we do not stage this movement to provoke or chide the Police, or to advocate "flash mob" or road blockage. We want to strive for democracy. I hope the protesters can return to our original objective, and, under the principle and in the spirit of peace and non-violence, face up to those in power who use violence. Frankly speaking, we should never use violence, and we are not on a par with the other party in terms of equipment. For this reason, I hope the protesters will not use violence. Let us uphold our principle and resist until the very end.

Thank you, President.

MR CHUNG KWOK-PAN (in Cantonese): President, I believe that while many people consider democracy desirable, most people also think that if Hong Kong is plunged into such a chaotic situation, no promises are of any value to them. They want nothing but a peaceful and stable Hong Kong. Many middle-class people and professionals whom I am acquainted with have expressed the view that if Hong Kong continues to develop in this direction, they intend to leave this city and emigrate abroad. The situation is simply egregious. Well, you may say those wishing to leave can leave and those with the means can emigrate abroad. But do we really want Hong Kong to be turned to such a state?

President, the motion today is related to the Police's law-enforcement approach. On 28 September, I was at home and started watching television from around 1 pm, and I had kept watching television for over 10 hours. I constantly switched channels to learn about the whole incident. Dozens of people first

rushed onto the road, followed by a large number of other people, and it was reported that the dozens of people who took the lead to rush onto the road have political party background.

(THE PRESIDENT'S DEPUTY, MR ANDREW LEUNG, took the Chair)

As far as I understand, the area was then teeming with people, and when some people first rushed onto the road, the others immediately followed suit. The ensuing situation was well captured by many cameras. Rows of protesters standing in the front charged at the Police. As mentioned by several Members just now, some protesters used umbrellas to attack police officers and grabbed the mill barriers of the Police. The Police then pepper sprayed the crowd. There were only two rows of police officers, who could hardly resist the charging of tens of thousands of people from behind. Seeing that situation, I believed that it was only a matter of time for the Police to fire tear gas, and the Police really did so in the end.

Regarding the firing of tear gas by the Police, the greatest controversies are whether such act was appropriate, whether the timing and occasion for firing tear gas, as well as the number of canisters fired were appropriate. We all understand the reasons leading to the present situation. As crowds of people in the rear had no idea what was happening in the front, they choked on tear gas suddenly fired by the Police, and many people were infuriated as a result. However, rows of protesters in the front were actually charging the Police, and the Police pepper sprayed them, forcing the first row of protesters to retreat, but the second row of protesters took their place and when the second row of protesters retreated, the third row of protesters moved forward. What could the Police do under such circumstances? As there were only two rows of police officers at the scene, dozens of officers had to cope with over 10 000 protesters; and people in the rear had no idea what was happening at all.

Thereafter, the Police have been very restraint; in my opinion, they are very professional, but may even be over restrained. The protesters demanded to search police vehicles, ambulances and even food delivered for the Police. I believe such practice is only permissible in Hong Kong. I do not believe police forces in foreign countries will accept this practice. For this reason, I think the extent of restraint exercised by the Police highlights their professionalism. In

addition, I observe that the Police are mostly in a defending position. If the protesters staged peaceful sit-ins, without any provocation or charging, why would the Police punch them? Take for example the incident in Mong Kok: some accused the Police of collaborating with triad members or anti-Occupy Central participants and conniving at their violence. I absolutely do not believe in this saying. As evident from the fact that the Police have cracked down on all triad activities over the past several decades, how can the Police possibly collaborate with triad members? Such saying is unadulterated nonsense.

I was particularly impressed by a scene in Mong Kok, in which a young police officer holding a loudspeaker appealing for people's help, because there were too many people and too few officers at the scene. Ultimately, when even other police officers had arrived to provide support, all they could do was to separate the two groups of people with their bodies, but the protesters still claimed that they were attacked by others and accused the Police of not enforcing the law. As a matter of fact, while protesters demanded the Police to enforce the law against law-breaking anti-Occupy Central supporters, they themselves could violate the laws. At present many people query why the Police do not enforce the law against law-breaking protesters. I am really perplexed by the double standards and the confusion over what is right and wrong. People who violate the law point a finger at others for violating the law.

In my opinion, the Police have been exercising a very high degree of tolerance in all these incidents. For example, in the case of the Lung Wo Road incident the night before last, the alleged beating up of a protester by police officers is definitely unwarranted and unwise, and the officers involved have been reportedly suspended from their posts. If the allegation proves to be true after investigation, the case should be handled in accordance with judicial procedure. Mr Alan LEONG often talks about cause and effect. As there are many types of cause and effect, perhaps we should try to understand why this protester has been particularly targeted at by the Police.

The Police cleared the roads and removed the barricades for public access, but the protesters suddenly came out and blocked the roads again. Members of the public are dissatisfied because the protesters have caused inconvenience to people going to school, going to work and leading a normal life. The clearance of roads by the Police enables the public to lead a normal life again in various aspects to some extent, but the protesters appeared again to block the roads.

What is more, television footage showed that this particular protester stood on an elevated flower bed and poured unidentified liquid on police officers beneath. It is now known that the liquid is harmless, but how could anyone know at that time that it was not corrosive liquid? Anyway, someone poured certain liquid. Who knows it might not be something filthy? That person made a belated disclosure after the incident. Why did he provoke the Police? Why did the Police target at this particular protester? According to the Police, some 40 people were arrested, but the Police did not drag these 40 people to a dark corner. Why did the Police target at this protestor only? He provoked the Police first, did not he? He was arrested …

(Mr CHAN Chi-chuen spoke in a loud voice)

DEPUTY PRESIDENT (in Cantonese): Mr CHAN Chi-chuen, this is not the time for you to speak.

MR CHAN CHI-CHUEN (in Cantonese): I am sorry, Deputy President, I request a headcount.

DEPUTY PRESIDENT (in Cantonese): Could you tell me under which provision of the Rules of Procedure you made this request?

MR CHAN CHI-CHUEN (in Cantonese): Section 17(2) of the Rules of Procedure.

DEPUTY PRESIDENT (in Cantonese): Will the Clerk please ring the bell to summon Members back to the Chamber.

(After the summoning bell had been rung, a number of Members returned to the Chamber)

DEPUTY PRESIDENT (in Cantonese): Mr CHUNG Kwok-pan, please continue to speak.

MR CHUNG KWOK-PAN (in Cantonese): Deputy President, I will continue to speak. The Hong Kong Federation of Students and the students have clearly indicated that they were not related to the Lung Wo Road incident, and they did not know that some people were prepared to block Lung Wo Road. Does this mean that some people with political party background are orchestrating something that even the students are not prepared to do?

Deputy President, empathically speaking, police officers are also human; they have their families and friends who show great concern about their work. The work of the Police is to maintain public order and protect the life and property of the general public. However, they have long been emotionally suppressed over the past 10 days or so, so I am afraid they might explode sooner or later. I therefore hope the authorities can consider taking measures to relieve the pressure of the "pressure cooker".

Deputy President, I met with 19 consuls of the European Union in Hong Kong on 7 October, who all opined that the situation in Hong Kong was unique. Having witnessed many protests and assemblies, they said that the approach adopted by the police forces in their countries would not be so simple. They admitted openly that tear gas, water cannons or even shooting into the sky were common. And they all come from advanced democratic countries. For this reason, I think the level of professionalism and tolerance of the Hong Kong Police is higher than that of any other police force in the world. These consuls also commended Hong Kong people for their high quality. Apart from praising the Police, they also praised the students, saying that they had never witnessed any protesters sitting down to read and study. They even jokingly said that they would arrange their police officers and protesters to come to Hong Kong to learn from us.

Regarding these comments, we should not make jokes. All in all, I agree to the remark of Mr Ronny TONG just now that we should try to cool down rather than adding fuel to the fire. Will Hong Kong benefit if we vigorously add fuel to the fire? Ultimately Hong Kong will suffer losses. All who live in Hong Kong are Hong Kong people, and those who are present in this Chamber are all Hong Kong people, so will it do any good to all of us? Will we applaud when Hong Kong is ruined?

Therefore, as stated by Mr Ronny TONG just now, I hope we can all stop adding fuel to the fire and cool down. The Government has particularly indicated today that it will reopen talks with the students next week, with the

hope of resolving this incident in a peaceful manner. This is what Hong Kong people really aspire to. Democracy is not necessarily equal to everything. We must live and work in contentment. Thank you, Deputy President.

MR MA FUNG-KWOK (in Cantonese): Deputy President, I believe that two weeks ago, nobody would have thought the Occupy Central movement would turn into such a chaos today. Starting from Occupy Central, people have now occupied Admiralty, Mong Kok and Causeway Bay. While the organizers of Occupy Central originally said that students' participation would not be allowed, students are now taking the lead in the movement but have failed to keep it under control. Though the organizers and occupiers originally claimed that they would take the initiative and bear the legal consequences, they have yet to turn themselves in even to this day and are still reinforcing their barricades. Notwithstanding the unforeseeable nature of these events, the Police are made to face the messy situation all by itself.

While I agree that most participants have been pursuing their ideals and aspirations in a peaceful manner, the Occupy Central movement *per se* is unlawful. It has disrupted the order of society and infringed the freedom and rights of the general public to live life normally and gain access to roads.

As we saw from video clips, it is an undeniable fact that some protesters had charged at the police cordon lines on 28 September. Their charging actions were well organized, and people at the back were incited to charge forward in reinforcement. According to the Police, in the face of the unexpected chaos in the Occupy Central movement and the deliberate charging of some protesters who were fully equipped to protect themselves against pepper spray, the field commanders had chosen a course of action to defend the cordon line while dispersing the crowd with the least potential damage inflicted. Of course, there might be certain disputes about the decision to use tear gas, but if we wilfully criticize the Police solely on account of scenes of tear gas being fired, while ignoring the fact that the protesters had been charging at the police cordon lines incessantly, I think it is highly unfair to the Police.

The Police was likewise treated unfairly regarding the confrontations that happened in Mong Kok on the night of 3 October. As we all know, unlike the central business district of Admiralty, Mong Kok is teemed with small businesses, and many people live and work in this shady district. Hence, among

various occupied areas, Mong Kok has all along been the most dangerous and most susceptible to scuffles and confrontations.

Deputy President, first of all, I must stress that any violent acts must be strongly condemned by Members of the Council regardless of our divergent political views. When confrontations broke out on that day, big crowds of people had gathered and the situation became chaotic. Notwithstanding their limited number, the Police strived to segregate the protesters and opponents who represented different stands. To avoid confrontations, the Police even helped the unlawful occupiers guard their sites in Mong Kok and spared them from being stormed. Some people were hurt during the scuffle, and an injured person complained before television cameras that the Police condoned assaults from another group of protesters. Yet, later we found from other video clips that this injured person got hurt when he chased after anti-Occupy Central supporters to hit them. I am afraid that this is not an isolated case of the Police being wrongly accused.

During the chaotic scenes, police officers have constantly been subjected to unreasonable verbal abuses. The occupiers have kept making different demands. At one point, they did not want the presence of police officers and demanded the retreat of the Police; but when the occupied areas were being stormed, they criticized the Police for not showing up or not showing up in time. Moreover, while the occupiers criticized the Police incessantly for selective law enforcement, they also asked the Police not to enforce the law, so that they could continue occupying the roads. How can the Police maintain law and order under these situations when the standard of law enforcement is measured against political stands?

Undoubtedly, as the initiators had proclaimed publicly time and again, they could not keep the situation under control, and it is quite obvious that they are trying to shirk their responsibility. Many protesters are acting on their own accord, and nobody can represent them. People are most worried about the situation getting out of control. On one side, protesters were reinforcing the barricades with building materials such as bamboo poles or even concrete, and on the other side, anti-Occupy Central supporters were becoming so aggrieved that they took actions on their own to clear the sites, resulting in scuffles. This has in turn increased the difficulty, risks and workload of the Police in maintaining law and order.

Deputy President, I would like to point out that over the past three weeks, "peaceful" and "non-violent" are two words frequently uttered. The Occupy Central organizers have kept saying that the movement is peaceful and non-violent. May I ask whether the act of the protesters blocking major trunk roads and obstructing free access by other people peaceful and non-violent? Is it non-violent for the protesters to block roads with smiling faces? Is it peaceful and non-violent for the protesters to keep abusing police officers with foul language, charging at the police cordon lines in an organized manner, and kicking police officers while raising their hands up? Is it peaceful and non-violent for the protesters, protected with a full gear of goggles, wet towels and open umbrellas, to keep charging at the police cordon lines by pulling mills barriers? Given such violent acts, are the protesters staging a peaceful and non-violent demonstration that conveys the messages of so-called love and peace, or are they disrupting social order through violent acts, verbal abuses and cyber aggression? I think we all know the answer.

It is regrettable to note that society's response to this incident has been far from rational, fair and calm. According to some reports, some doctors blatantly refused to treat police officers, teachers told students to watch out for those whose parents are police officers, and university professors expressly stated that they would no longer write reference letters for students who want to join the Police. These people are professionals and well educated, if even they behave like that, it is evident the Police have been under tremendous pressure and subjected to a lot of unfair treatment.

Deputy President, I am not saying the Police's handling of the entire incident is perfect, without causes for criticisms or room for improvement. But we must focus on the incident itself, rather than the people. If there are problems, we should find out where the problems lie. If there is room for review, we should conduct a review, particularly if some police officers might have abused their power, taken some unlawful actions or lashed out at alleged offenders in frustration. Those acts are absolutely unacceptable in a civilized society ruled by law. The Administration and the Police must, in accordance with the established mechanism, handle the matter seriously by conducting impartial and fair investigations. If there are any contraventions against the law, the case must be handled in accordance with the law. Nonetheless, I strongly disagree that we should discredit the Police's work and performance, its professionalism over the past few decades, as well as its hard work over the past 10-odd days in maintaining law and order in society merely because there are

some possible cases of irregularities or contraventions. This is totally unfair. Come to think of it, if we wilfully "demonize" the Police, such that it could no longer function properly, who will be the victims ultimately? Should this happen in a rational and civilized society?

Deputy President, in the oral question session yesterday, I asked the Administration to enhance support for the Police, in particular, provide counselling services for relieving their psychological stresses, and so on, so that front-line police officers can persevere in face of such enormous pressures. I would like to call on front-line police officers to continue exercising the greatest restraint in discharging their duties of enforcing the law, protecting the lives and properties of the people and maintaining order in society in a fair and faithful manner, just as what they have always done with professional competence and spirit. I believe people still fully trust and support the Police.

Deputy President, I also hope that society will become rational again so that people will not vent their dissatisfaction with political demands on police officers, and society can restore order as soon as possible. All parties concerned should stay calm to resolve the present political division, so as to avoid further ripping society apart. I so submit.

DR HELENA WONG (in Cantonese): Deputy President, after hearing the speeches made by some Members, I was suddenly taken aback by the loud howls made by Dr CHIANG Lai-wan. Many of her arguments are worth discussing, and among them is the saying that "A general in the field is not bound by the orders from his sovereign". I wonder if Dr CHIANG wants to use this remark to rationalize the Police's use of force these days, or even the imposition of extrajudicial punishment last night, that is, dragging the subdued protesters to a dark corner and kept punching and kicking them.

If Dr CHIANG wants to justify such acts with the saying that "A general in the field is not bound by the orders from his sovereign", I really doubt if she was born during the Warlord Period or in the 21st century of Hong Kong. If she talked about the ancient days, "a general in the field" would mean a general leaving his homeland for a faraway place. In the absence of information technology, telephone or fax, it was impossible for the general to seek advice from his commander on the proper decision to be made. However, today, we can hardly imagine why front-line police officers are unable to seek instructions

from their supervisors on the use of force, or why they are unaware of the need to follow the established procedures regarding the use of force. This is unbelievable.

Recently, a view has been voiced repeatedly. In response to questions on whether he was connected to the Police's firing of 87 canisters of tear gas to clear the scene, the Chief Executive denied that he had anything to do with the operation and claimed that this was a professional decision made by police officers. He did not have a part to play. Subsequently, Chief Secretary Carrie LAM also said that the clearance operation and other decisions were professional decisions made by the Police. She even described herself an outsider.

Deputy President, I have no idea why Carrie LAM considered herself an outsider. Likewise, in response to Members' questions at the Legislative Council meeting held yesterday, the Secretary for Security also described himself an outsider, as if the Security Bureau was not involved, and it was only a matter of the Police. No one has the guts to assume responsibility and is trying to pass the buck.

As a matter of fact, this "buck-passing" culture also prevails in this Council as well. When Members from the pro-establishment camp wrote to explain their late application for membership of certain committees after the deadline, they also passed the buck to their assistants, blaming for their mistakes and omissions. How come Members from the pro-establishment camp, Directors of Bureaux, Secretaries of Departments and even the Chief Executive all lack the guts to assume responsibility? If everyone describe themselves as outsiders and distant themselves from the incident, can we say that the Police Commissioner alone made all the decisions? I am not convinced that the "solarpeak" operation had not obtained the consent of Chief Executive LEUNG Chun-ying.

As I have just said, the case of "A general in the field is not bound by the orders from his sovereign" is not likely to happen in the 21st century with advanced information technology. Students or members of the public taking part in the sit-in protest in the square can easily access the Internet to find out what is happening around them. Given that police officers are so well equipped, it is impossible that they failed to receive instructions from their supervisors or ascertain where the instructions came from.

Certainly, I strongly agree with the comments made by many Members earlier that front-line police officers had worked very hard over the past 10 to 20 days. They have never dealt with such kind of situation. The protesters launched the so-called "wild cat attacks", trying to mushroom the Occupy movement over the territory to challenge the Police's authority. Yet, judging from the current situation, I think the incident has exceeded the original scale of Occupy Central as well as that of the "solarpeak" drill. As we are aware, the majority of police officers are dedicated and we count on them to protect us from being attacked by Occupy Central opponents, triad members and people with dubious background during the assemblies. I do not see any reason why we should attack or smear the Police. What is more, I believe the Police have been working very hard. Yet, after seeing the use of force by the Police in the past 10 to 20 days, we cannot help feeling worried and outraged. When I walked on the street, someone approached me and said, "Dr WONG, things do not seem right". But what is wrong then? One can easily tell from the Police's clearance operations.

Just now, in saying that "A general in the field is not bound by the orders from his sovereign", I do not think Dr CHIANG's argument holds water as all police officers are required to follow the Police General Orders (PGO) when discharging their duties. There are guidelines clearly setting out the operational procedures. The Library of the Legislative Council has also kept a full set of the PGO, Members can have a look. I have read it. If we look at Chapter 29 concerning the use of force ― if my memory does not fail me, it should be Chapter 29 ― it has specifically laid down the guidelines for the use of force, and what we witnessed is apparently inconsistent with these guidelines.

Firstly, last night, we saw on television that a protester was carried away with his hands bound in plastic ties behind his back, but should he not be driven to the police station on a police vehicle right away? Why was this young protester being carried to a dark corner with his hands cuffed and then he was kicked and punched by seven police officers when he could not resist at all? This is absolutely unacceptable in Hong Kong. I think there is *prima facie* evidence indicating that the seven police officers concerned have not only committed the criminal offence of assault, but has apparently breached the orders and guidelines laid down by the Police on the use of force.

A Member said just now that the immense pressure has driven police officers to the verge of nervous breakdown, and blinded by anger, they lost self-control. However, as clearly stated in the first guideline on the use of force,

police officers must have a strong power of self-control when enforcing law, and they should exercise restraint in the use of force. It would be very dangerous if police officers can abuse power when they lose self-control. Hence, in my view, the Police should immediately arrest those seven police officers who have broken the laws and rules, and carry out criminal investigation.

Apart from the scenes shown on television yesterday, confrontations between protesters and police officers these days mostly involved the use of pepper spray or tear gas by the Police. Some people complained to me about the use of pepper spray, and television footages have also captured the scenes. Even TV reporters are gravely concerned when they saw how the Police pepper sprayed protesters. Actually, it is not a kind of spray, but large cans of pepper sauce that spray out like fountains. While some protesters retreated, some brave ones stayed behind and they used cling film, goggles or masks to protect themselves. These protesters have not attacked police officers or seized their batons or pepper spray; they just stood there, holding up their hands. Yet, police officers came forward, grabbed their goggles and masks, torn away their cling film and pepper sprayed them at their face. In other words, police officers used pepper spray against peaceful protesters after seizing their basic protection gear and snatching their goggles. Some police officers patted on the protesters' shoulders and pepper sprayed the protesters within short distance when they turned around. Have such practices breached the established guidelines laid down by the Police?

Regarding this topic, I can talk for 10 more days. In Mong Kok, we have also witnessed assembly protesters (including women) allegedly being attacked or indecently assaulted by Occupy Central opponents, triad members or people with unknown background. However, police officers on the scene have not protected them, but even turned a blind eye. Are these indecent assault and sexual harassment cases acceptable? I eagerly hope that the Police will conduct a comprehensive investigation of the incident given that their credibility has been seriously damaged after the incident. To rebuild credibility, the Police must demonstrate sincerity by carrying out a serious investigation into acts which do not comply with the laws and rules, and imposing appropriate sanctions.

As to who should be held responsible for the entire Occupy Central movement, we notice that Members from the pro-establishment camp and Members who oppose Occupy Central have all along smeared the democratic camp and the Occupy Central movement, alleging that external forces are backing the movement. This has not only plunged Hong Kong into chaos and dealt a

heavy blow to Hong Kong, but has left the community at large seriously divided. And yet, if we now point our fingers at the pro-establishment camp, blaming it for putting forward such poor proposals, supporting the National People's Congress' decision to "shut the door", or not working hard enough to strive for genuine universal suffrage, such allegations do not help resolve the problem in hand. Our prime concern at the moment is how the situation can be ended and the problems solved; this should be a question of common interest.

The Democratic Party does not want to see the movement extend in an unrestrained manner, with more areas being occupied, thereby affecting the daily lives of more people. However, we can retreat no more. We have suggested retreating to Harcourt Road and leaving Admiralty unaffected, so that civil servants can go to work. We did make some lobbying efforts, but sometimes lobbying can be extremely difficult and we might not be able to convince the people in the occupied areas. And yet, we will still try. As we have seen, students and occupiers are willing to communicate and make compromises. It is a pity that so far, we have yet to see the Government making any categorical compromise. It has even unilaterally called off the scheduled meeting, which is indeed outrageous and incomprehensible. I eagerly hope that the Government will expeditiously get back to the negotiation table and stop the Police from taking violent actions against the masses and peaceful protesters.

It is now time for the person who ties the bell on the tiger to take it off. Members should not forget that the key is why students and members of the public took to the streets in the first place. Apart from opposing violence, the most important message is still loud and clear, and that is, to fight for genuine universal suffrage, relaunch the constitutional reform process, abolish functional constituency seats in the Legislative Council ― the number of seat should at least be reduced even if they cannot be abolished in 2016 ― and avoid "shutting the door" on the nomination for the Chief Executive Election in 2017. It is unreasonable to "shut the door" as the restrictions imposed have gone beyond the eligibility criteria of candidates as prescribed in the Basic Law. By "shutting the door", people belonging to the opposing party or person disliked by "Grandpa" cannot become candidates. This kind of election is not a genuinely democratic election. The Government has forced Hong Kong people to accept this top-down autocratic proposal. The reason why the situation has come to this pass is that young people want to convey the message that people will not accept a proposal with so many restrictions.

Deputy President, I so submit.

DR ELIZABETH QUAT (in Cantonese): Deputy President, Hong Kong is now experiencing an extremely difficult and critical moment as the Occupy Central movement may end up in bloodshed at any time. The last thing I want to see is people getting hurt. I believe the crisis can only be resolved with peace, reason and love.

Deputy President, it does not matter when people supports or opposes Occupy Central, we are indeed one big family. Our beliefs, values and political viewpoints may not be the same; and we may have different views on the pace of development of universal suffrage, but I believe most of the people wish to have a better Hong Kong. This is the place where we choose to live and Hong Kong is still our home. We always hear people say "winning the fight but losing the family", so what is the point of fighting?

It is the 19th day of Occupy Central. The entire Hong Kong has become the loser and no one is going to win if the movement continues. Hong Kong is now seriously divided; couples, parents and children argue constantly, people unfriend one another, schools being politicized, small-scale businesses plunged, the international reputation of Hong Kong undermined and future economic development jeopardized. People have been selective in lending their ears to only words they want to hear and believe. Rumors and video clippings that fail to tell the truth were widely circulated, intensifying people's hatred and alienating emotions. Hong Kong has lost its law and order. Anyone can break the law using glamorous excuses, and people can occupy wherever they want. All of a sudden, Hong Kong has turned from a civilized society with established rule of law into a lawless place where people cannot tell right from wrong.

What is the objective of Occupy Central? Students and Members today expressed their wish for genuine universal suffrage and a freer Hong Kong with more justice and democracy, and called on people to fight for their dreams. At first, we were all touched by the passion of the students and felt hopeful about Hong Kong's future. We do not want to stop them, but love them instead. However, the situation turned out to be disheartening, and people's support has simmered down into resentment. I hope Members will listen to people's views and think carefully.

With regard to freedom, many people would ask: While you have freedom to pursue your idea, do we not have the freedom to work for a living? How can you build your freedom to occupy places on my difficulties? Do I have the freedom to disallow you intervene my normal life or to oppose students' requests?

As for justice, does the pursuit of justice have to compromise the rule of law first? Is justice under your command the only justice? If the opening of MTR exits, the running of trams through Happy Valley, the availability of a passageway for civil servants to go to work, as well as the availability of work for drivers must first get the consent of the Occupy Central protesters, how can justice be manifested? If police protection is required for your illegal occupation, can this be regarded as justice?

On democracy, Deputy President, what is the spirit of democracy? Democracy is not a slogan. As pointed out by the philosophy professor of the University of Michigan, Carl COHEN, in his book *Democracy*, there are five requirements for the building of democracy and one of them being the "psychological conditions of democracy", which include the quality of citizens, as well as their compromising, objective and impartial attitude. Can Occupy Central protesters honestly say that their deeds are consistent with their words? Are they objective and impartial, or subjective and provocative? Are they seeking a common ground while preserving differences or are they trying to blow up the whole thing? When Joshua WONG said that the purpose of meeting with Chief Secretary Carrie LAM was to defeat her with questions, my heart bled like many others. He inclined to staging a show than holding a conversation.

Deputy President, I support the promotion of democratic development, but I do not believe in the so-called international standard or a perfect system. While we do not have genuine or bogus universal suffrage, we do have different systems. The "one country, two systems" is unprecedented in this world. We will have to pave the road to democracy for Hong Kong and China step by step on the basis of the spirit of democracy and the foundation of the rule of law, like crossing the river by touching the stones. Gradual improvements are warranted as haste does not bring success. We do not need other countries meddling with Hong Kong affairs.

Honourable Members, Occupy Central is not going to give us an ideal world of freedom and justice. What is democracy then? As we always say, "I may not agree with your viewpoints, but I will respect and safeguard your freedom of speech." Roads in Hong Kong are open for members of the public and me, will the occupiers please go somewhere else that will not affect our living and continue to express their views in a peaceful manner? They may continue to chat, read books or attend seminars as stated by Mr Albert HO, and no one will stop them. Please respect the aspirations of other Hong Kong people and give us a way out.

Deputy President, I think most of the students outside are peaceful and rational, but the fact is that many protesters outside are not students. They kept charging at the Police and have been provocative. Apart from using foul language, they even resort to physical clashes, in an attempt to force the Police to clear the site by force. This is why there are scenes of danger night after night. They said no one can represent them and they are not under anyone's command. May I ask the students how they can distinguish themselves from these non-peaceful and irrational people so as to protect themselves from being injured? I beg people with conscience to treat the students outside as your children. People who really love these students will not encourage them to become martyrs by making undue sacrifices; instead they would persuade them to go home.

Deputy President, the Police have suffered great humiliations these days and found themselves between the devil and the deep blue sea. In the face of immense pressure and extremely long working hours, they have remained professional and exercised great restraint to safeguard Hong Kong with their best effort. They should therefore be commended.

We will not jump to the conclusion that all protesters are triad members simply because some of them are, nor should we lose confidence in the Police because of what a couple of police officers have done. Hong Kong has all along been one of the safest cities in the world, and this owes much to our professional and civilized Police.

I have great confidence in the Police, and like many members of the public, I will continue to support the Police to take vigilant law-enforcement actions. If someone breaks the law, whether or not he is a police officer, I believe the Police will handle the case in an impartial manner and take law-enforcement actions in the fairest and most impartial way.

Deputy President, a friend of mine, who is a foreign journalist, reports and films the various occupied areas every day. He told me that from his observation, there are good and bad protesters as well as peaceful students, who clean up the place, carry out waste recovery and study. Nonetheless, there are also many others who challenge the Police; they are not as peaceful, rational and non-violent as Members have overwhelmingly described earlier and it is not true that they have not committed violent acts. Such acts, however, can be seen in the video clips. Please do not tell only part of the story. My friend also told

me that some police officers have been tolerant and they never answer back or strike back. Having said that, they are human beings after all and may get to a point where they are very tempted to answer back and even fight back. It so happened that they have been stopped by their peers. But no matter what, they will still offer protection to those who have inveighed them. My friend went on to say that this is human nature, and we can always see the bright side and dark side of people in large-scale demonstrations around the world.

Musicians LAM Man-chung and LAM Man-yee jointly produced a song called "祝福香港" (Blessing to Hong Kong) the other day. One of the lyrics reads "Hong Kong home for you and me, please do not let it collapse, all right?" There is another line "You and I be united, do not tear us apart" and "the future surely be better". I think the lyrics speak the heart of many Hong Kong people. Why should we adopt such a hostile stance? Should Hong Kong people continue to fight in this way? Many people kept asking how this is going to end. Do you feel worried or have you felt the danger outside?

In the face of the present predicament, I hope we can all give play to the positive side of human nature. It is time for us to put aside disputes and hatred. We are one big family and should therefore build a better and more democratic Hong Kong through lawful and rational means.

Deputy President, I so submit.

MR KWOK WAI-KEUNG (in Cantonese): The adjournment debate proposed by Mr Alan LEONG today is about the handling of people's assemblies by the Government and the Police since 26 September. If considered from the perspective of cause and effect, certainly we must first have the assemblies, and then comes the need to discuss the handling of such assemblies.

Members may recall that the idea of the Occupy movement first surfaced in 2013. Mr Benny TAI, one of the organizers, wrote an article in the *Hong Kong Economic Journal* on 16 January 2013 with the title "The Most Lethal Weapon of Civil Disobedience". In the article, he suggested that a stronger mass destruction weapon might be needed to achieve genuine universal suffrage in Hong Kong. What, specifically, is that mass destruction weapon? The answer lies in Occupy Central, supposedly a non-violent means of civil disobedience where protesters would be rallied to occupy the main roads in Central illegally for

a long period of time, in a bid to paralyse the political and economic hub of Hong Kong.

This mass destruction weapon is lethal for it kills invisibly without any bloodshed or violence. But for ordinary members of the public who watch television every day with a sinking heart or for those who are furious, they all know that Hong Kong is actually bleeding every day. Hong Kong is bleeding because the economy is declining, the number of inbound tourists is decreasing, and the local consumption sentiment is also weakening; the families are bleeding because many breadwinners cannot go to work, affecting the livelihood and financial income; society is bleeding for social ethics and social life are affected as conflicts and disputes have arisen among family members with different political views, and there is an "unfriend" trend in various social circles.

(THE PRESIDENT resumed the Chair)

President, just now, Mr Albert HO, Ms Emily LAU and other pan-democratic Members described the Occupy Central movement as magnificent. Yet wage earners are most hard-hit in this movement, which is a case of suffering losses before benefits are gained. I can hardly agree that the movement is magnificent; or to put it in a more practical way, the Occupy Central movement as initiated by the Occupy Central Trio as well as opposition Members should be dead when born.

Why do I say so? Because in the abovementioned article "The Most Lethal Weapon of Civil Disobedience", Mr TAI had listed out eight major principles of Occupy Central, namely, number of protesters, opinion leaders, non-violence, sustainability, undertaking of criminal liability, timing, prior publicity and objectives. Let us consider some principles. The third principle is non-violence, and as stated in the article, "The organizers can give advanced notice to all people of Hong Kong that the Occupy movement will start at a specific time on a specific date". In other words, prior announcement would be made. But as we can recall clearly, at 1.40 am on 28 September 2014, an announcement was made to activate the Occupy Central movement without any advance notice. It shows that Mr Benny TAI has gone back on his own words and violated the pledges and principles he stated publicly. Mr TAI has unilaterally changed his pledges without any advance notice. As a result, suitable arrangements and deployment could not be made by the Government,

and public order had been seriously disrupted. Who should bear responsibility in this regard?

Moreover, under the same principle, it is stated that the participants should sign an affirmation, expressly stating that they would only occupy the main roads in Central peacefully, without using any violence. I would like to ask, have all occupiers outside signed this affirmation? How many of them have signed? How many signees have failed to comply with this requirement? If they have signed the affirmation, why do they still push over mills barriers, charge at police officers and damage public properties (including rubbish bins, gully gratings, road signs and water barriers) over the past 10-odd days? Why did they besiege the Police on 28 September and poke police officers with umbrellas? Why did they evade arrest by the Police and obstruct their law-enforcement actions last night? It is evident from these events that the movement has completely violated its original pledge of not using any violence.

Earlier, Mr TAI also told the media that if force was used by any persons, he would take the initiative to disperse them or ask them to leave the scene. Has he fulfilled this pledge? If he cannot even fulfil his own pledges, how can he be qualified to be a teacher? Is he setting some bad examples for his students?

Separately, the sixth principle of the eight principles is about timing. In the article, TAI wrote, "[This lethal weapon] must only be used when Hong Kong people's hope of having genuine universal suffrage is dashed completely." Actually I was quite puzzled when I read this sentence. Why? Because he said that the weapon should only be used when all hope was dashed. In other words, it should only be used when what's done cannot be undone or when everything has been settled. By that time, is there any room for changes to be made? Is he wrong right from the very beginning? Has he chosen the wrong timing right from the start? If he intends to intervene only when the matter reaches a point of no return, is it blatantly clear that he only wants to create an impasse for the sake of embarrassing the SAR Government?

President, from the outset, the Occupy Central movement has contravened the eight major principles. Hence, all public pledges have been violated. Actually, the Occupy Central Trio as well as Members who have incited members of the public to take to the streets should come out and declare that Occupy Central has failed completely. They should also turn themselves in as per the fifth principle about undertaking of criminal liability.

President, Members should recall that mainstream public opinion has become clear with the collection of 1.5 million signatures against Occupy Central. Organizers of Occupy Central should pull back before it was too late. Why did they still proceed recklessly and hastily announce the activation of Occupy Central?

Members may also notice that recently, they have tried to shirk all their responsibilities in the matter by claiming that they have nothing to do with it. They claimed that they did not organize the movement; nobody did; it was a movement spontaneously initiated by members of the public. However, I think all Members should recall that last year, three deliberation days were held on the movement, as just mentioned by Mr SIN Chung-kai. A poll and some drills had also been held. How can they say today that the movement does not involve any organization or planning? Their planning is nothing but meticulous, to say the least.

However, it would be somewhat difficult to ask them to admit that the movement has been well organized and planned as what is reflected on television screens is not that clear. The Occupy Central Trio, the politicians and the student representatives do not have the strength or credibility to consolidate the views of all the protesters outside. There are clips that these people are scolded by the protesters and were driven away. Some protesters shouted at them, "You do not represent me. What I do is none of your business!" It is pathetic to see them still speak in front of the crowds every night. In the process, they still incite members of the public to take to the streets. Are they acting in a responsible way? Can they face Hong Kong people with no qualms?

When people have gone to such extremes as to participate in unlawful assemblies, besiege the Police, inspect police vehicles, or even evade and obstruct arrest by the Police, I want to ask Members of the opposition party what are, by their standard, the conditions of things getting out of control? Please draw a line so that we can make judgment.

If people truly love Hong Kong or consider Hong Kong their home, they should really try to cool down the incident now. Yet Members of the pan-democratic camp just keep stirring up troubles and inciting the people's emotions by individual events. They go all out to discredit the Police, such as the use of tear gas and pepper spray, the confrontations in Mong Kok, as well as the photos and video clips circulating on the Internet, and so on. Their ulterior

motive is to embolden the occupiers. The bad image of the Police will encourage the occupiers to fight with even greater vigor. As in the case of last night, the protesters besieged three police officers and obstructed the Police's action to arrest and take away the offenders. This is already a clear warning sign. I hope the pan-democrats would bear in mind the overall interest of society and stop making provocative rhetoric or taking provocative actions from now on.

We should be aware that police officers are also human beings. As just pointed out by many Honourable colleagues, police officers, having to work long shifts and frequently subjected to verbal abuses, are indeed worn out both physically and mentally. I am worried that this might drive them close to the breaking point. Last night, within a one-minute short walk from the Legislative Council Complex to the carpark, I was surrounded and scolded by some occupiers. I can handle it because the scolding lasted only several minutes. But for police officers who are on duty for up to 10 hours or more each day, I am afraid that their emotions would be affected seriously if they are subjected to verbal attacks all the time.

I must reiterate that we should not use isolated incidents to undermine the Police's morale because as we all know — I think even the protesters outside who are watching the broadcast now also know very well — without the Police in maintaining law and order, the Occupy Central movement would not have come so far. I think we should bear this in mind. If the Police's morale is undermined even further, it will only bring more serious harm and impact on society as a whole.

President, on behalf of wage earners who have been affected by the Occupy Central participants or the Occupy Central movement, I would like to call upon all Honourable Members to make things right again by persuading the protesters outside to go home. They should go back to their own homes and sleep comfortably on their own beds. Their relationship with families is the most everlasting and precious. They should not give up the happy life they once had just because of some political slogans.

Over the past month or so, the income of wage earners has decreased. The business of some major shopping malls, small and medium shop owners, or even different trades and industries in Hong Kong have suffered in one way or another. According to some labour unions in the construction industry, at least

650 workers could not go to work. As a result of complete service suspension earlier, thousands of employees of the Hong Kong Tramways Limited are facing livelihood problems even though tram service has partly resumed. Hence, I very much hope that we can be in the same boat and work with one heart to bring Occupy Central to an end as soon as possible. I also hope that Members of the opposition camp can reflect on the serious impact brought by the Occupy Central movement on people's livelihood. Thank you, President.

MR LEUNG YIU-CHUNG (in Cantonese): President, the ways in which the Government and the Police have been handling the public assemblies since 26 September can be summarized as follows: the Police have lost neutrality and shown political favouritism; the Police have abused power to shield those who violently attack and suppress assembly participants. On behalf of the Neighbourhood and Worker's Service Centre, I strongly condemn the SAR Government and the Hong Kong Police Force, and I request the SAR Government to stop using further violence in handling public assemblies.

The speech of the Secretary yesterday was disappointing. He kept defending the violent acts of police officers, emphasizing that the Police Force was a highly professional and outstanding disciplined force. Undoubtedly, we believe that many police officers have tried their very best to discharge their duties; they have been working tirelessly and enforcing the law impartially. Indeed, this is the image of the Police established throughout the years but regrettably, on the political issues arising from the constitutional reform, senior members of the SAR Government, including Chief Executive LEUNG Chun-ying, have forced the Police to become a political tool for attacking and suppressing people striving for universal suffrage, thereby seriously damaging the reputation of the Police.

For instance, in the early morning of 15 October, the Police used extreme violence to expel people occupying Lung Wo Road and the Tamar Park. Before using violence, the Police turned off the lights in the Tamar Park to stop people from making video records and used strong torches to cast powerful beams of light on those taking photographs. Apparently, the Police hoped that the use of violence would not be captured by cameras. This fitted in well and coincided with the scenes captured by TVB. In a dark corner with some police officers keeping watch, the social worker, Ken TSANG, with his hands handcuffed behind his back was pressed to the ground, kicked, trampled and savagely beaten

repeatedly. The Police kept saying that they were "open and aboveboard", yet they gave someone a severe beating in a dark corner. Perhaps justice has long arms; this well-organized and tacit act of violence had been captured by cameras. With such conclusive evidence, the Police and the SAR Government cannot possibly argue or refute. Otherwise, as in the incident of 13 June related to the funding application for the North East New Territories project, the Police arrested several young persons and pushed them into a police car, turned off the light, pulled the curtain and beat them up. However, due to the lack of evidence and witnesses, the victims could not do anything to hold anyone responsible. It is detestable that the authorities concerned have not yet conducted a thorough investigation, as if such unlawful acts of violence are condoned and tacitly permitted. Hence, similar unlawful acts will happen again.

In the course of action taken in the early morning of 15 October, I know that apart from Ken TSANG, at least 10 other people arrested had sustained injuries. Some of them had similar experience as Ken TSANG, they were also pressed to the ground and were then forcefully kicked by police officers wearing boots; some had cracked mouth corners and a lady sustained knee injuries as she had been dragged on the ground. Are these acts humane? Can we be convinced that the Police had only used minimum force as stated by the Secretary and LEUNG Chun-ying? Moreover, some protesters had their goggles snatched by police officers and then being pepper sprayed in their faces. Some other protesters, after being driven by the Police to return to the passageway and the Tamar Park, were still chased by police officers and beaten up with batons. Have the police officers been professionally trained to perform these acts? Were they being restrained? Apart from assembly participants who were brutally treated, many journalists also complained repeatedly that they had been assaulted and impeded from conducting interviews. The freedom of the press had been infringed.

President, many people have exercised forbearance towards the attitudes and behaviours of the Police. Many participants of the Occupy action have abided by the "non-violent struggle" principle. Their protective gears against pepper spray are umbrellas and goggles; and in the face of batons and shields, they have no alternative but to erect layers of barricades for self-defence. The Police and the SAR government officials have certainly not shown the slightest appreciation of the public's attitude; instead, they have continuously escalated violence.

President, members of the public resisted pepper spray with umbrellas and goggles. Some people said that they are organized and well prepared with the necessary gears. Of course, they are well prepared; otherwise how can they defend themselves against pepper spray? People know that they will definitely be arrested for participating in this Occupy action, and they are psychologically prepared for that; yet, they do not want to be violently treated by the Police. Therefore, they have to wear masks and held umbrellas to defend the pepper spray. We cannot say that they are organized; they just have no choice.

President, as a matter of fact, many more people originally had not participated in the action, but they were motivated to take to the streets after seeing the firing of tear gas by the Police on 28 September. They could not accept the Police's handling of the incident. The increasing number of participants precisely indicated to the SAR Government that the public could not accept its behaviours and actions. The Government has even failed to get the slightest popular support.

Nonetheless, it is even more outrageous that, in the face of increasing discontent, the Government has not only failed to restrain the Police but connived at their further action to harm the public. On 3 October, under the watchful eyes of the people, the Police did not stop some assailants from bashing someone's head till it bled, and even allowed them to leave the scene. How can these approaches not made the public feel angry and yearn to affix responsibilities?

President, all things happen for some reasons. As pointed out by a number of Honourable colleagues, the Occupy movement originated from the constitutional changes relating to the 2017 Chief Executive Election. Hong Kong people have been expecting such changes for the past 30 years, and they have been looking forward to having a genuine universal suffrage system, under which people can have the right to nominate their ideal candidates, and elect the Chief Executive they prefer through "one person, one vote".

We certainly understand that no election system is prefect. All we are asking is for a system comprising the element of civil nomination, so that every eligible voter may have the right to participate, and the factor of accountability can be enhanced. This is the most important point. How can the Chief Executive who is to govern the whole society be not required to be accountable to the public? How can he simply be accountable to a 1 200-strong nominating committee?

President, since the reunification in 1997, the three Chief Executives have not been generally accepted by the public. There have been voices demanding their stepping down, and the loudest voice is to demand the stepping down of LEUNG Chun-ying. The main reason is that most of the policies implemented by LEUNG's Government are not people-oriented. For example, in recent years, people have been criticizing the Government for colluding with the business sector or conniving at developer hegemony. More importantly, the Government's governance is inclined towards the Central Government. For instance, by allowing the National People's Congress to interpret the law, the important principle of a "high degree of autonomy" was undermined. For this reason, we request to have a democratic electoral system that embodies "one country, two systems", "Hong Kong people ruling Hong Kong" and a "high degree of autonomy". In fact, we have been making this demand for many years but the Central Government has disappointed us time and again.

President, the Occupy movement has become a movement of young people and students because the future of our society belongs to them. Many adults have come out to support this movement for the sake of the future of these young people.

President, although democracy cannot solve all problems, it allows equal participation by the people and prohibits the presence of oligopoly in society. Hong Kong had been under colonial rule for a long time; we had freedom but not democracy at that time. However, after the reunification, we not only have been deprived of democracy, our freedom has also been continuously eroded. Thus, we hope that our freedom can be protected and defended under a democratic system. President, a democratic system represents Hong Kong's hope; without democracy, there is no hope.

Today, while we have to fight for democracy, we are not going to stage a revolution, let alone overthrow the regime. Hence, I hope the Central Government would positively understand the actual situation and open up the political system under the premise of embodying a "high degree of autonomy", as well as return democracy to us, so that Hong Kong people can really put into practice "Hong Kong people ruling Hong Kong" and a "high degree of autonomy".

President, I so submit.

MR DENNIS KWOK: President, we are gathered here today to debate the handling of the protests by the Hong Kong Government and the Hong Kong Police in the series of events which we have witnessed in Hong Kong over the past weeks. Many Hong Kong people were in fact motivated to come out to join the protests precisely because they have seen the way the Police handled the protesters. The very visual images that we have seen on television, regarding the use of tear gas again and again on peaceful demonstrators armed with nothing but their umbrellas to protect themselves, have been seen not only on television screens in Hong Kong, but also around the world. So have the audio recordings of protesters pleading with police officers, "What have we done to deserve this?"

Some of our colleagues across the aisle have since come out to defend the Police use of tear gas, and say that the protesters deserve to be tear-gassed or pepper-sprayed. On the other hand, some of them say that the protests are out of control and therefore constitute a great threat to public order. Some say that the protests are so well-organized that they pose a great threat not only to public order, but also to national security. Regardless of the merits of those arguments, which I would not try to address, what we have here in Hong Kong is the rule of law, and what we have seen: the use of force by the Police and the question of whether that was excessive.

A police officer's power to disperse a public gathering which he reasonably believes is likely to cause or lead to a breach of the peace is derived from section 17(3) of the Public Order Ordinance. Under that section, a police officer "may give or issue such orders as he may consider necessary or expedient", but only "use such force as may be reasonably necessary" to disperse the public gathering. A similar restriction on the use of force greater than is reasonably necessary for the purpose of dispersing a public gathering can be found in section 46(1) of the same ordinance.

President, the central issue then is whether the use of the tear gas was a degree of force greater than was reasonably necessary in the circumstances at the time. In determining this issue, the Courts will likely apply proportionality reasoning and examine whether there are less intrusive means to achieve the same objective. The Under Secretary for Security gave the following answer to a question asked in this Council about the possible use of tear gas against Occupy Central protesters (I quote): "When there was a breach of the law, the Police would first of all advise the persons concerned to comply with the law, warnings would be given where necessary; when the situation did not improve and there was a need for the Police to take resolute actions, clear instructions and warnings

would be given, and adequate time would be allowed for the persons concerned to comply with the instructions. Regarding the use of force, it would not be used unless it was really necessary, and the force used would be at a minimum level to achieve its purpose." (Unquote)

From the above, Prof Simon YOUNG from the University of Hong Kong's Faculty of Law derived a list of factors relevant to assessing whether it was reasonably necessary for the Police to use tear gas on that day, which he has described in detail in his article.

In summary, Prof YOUNG said, "The scenes that we have seen from the television coverage showed that: (1) no clear acts of violence or rioting that necessitated the use of tear gas, suggesting an excessive response on the part of the Police; (2) repeated uses of tear gas appeared to surprise protesters, suggesting that either an inadequate warning was given or insufficient time was allowed by the Police for the protesters to comply; (3) throwing of tear gas canister directly at protesters or into crowds, suggesting that not the minimum level of force was used; (4) the quick regathering of protesters after momentary dispersal suggests that the tear gas achieved very little and certainly nothing that less intrusive means could not have achieved." (Unquote)

Prof YOUNG therefore concluded that the Hong Kong Police have more than a clear case to answer to justify their use of force on the protesters.

So, using the Under Secretary's analysis, based on the facts we have seen, the Police did not use minimum force as necessary in the circumstances. One may well wonder if I have been speaking at the wrong venue, that I should have been delivering this speech at the High Court and not in this Council. Yet I believe there is no better place for me to speak of such relevant laws, and the need for the rule of law, at this critical juncture. Right when we are pondering the question of constitutional reform and how to build a democratic government accountable to the Hong Kong people, we must remain vigilant in protecting the rule of law, for without the rule of law, all our democratic aspirations would mean nothing.

But just as the Hong Kong Bar Association has said in its response to the White Paper (I quote again): "Respect for the rule of law (as understood in Hong Kong and the community of civilized nations) means far far more than merely 'doing things according to law' (依法辦事), or 'governing according to law' ('依法施政'). It includes proper self-restraint in the exercise of power in a manner

which gives proper weight and regard to the importance of the independence of the judiciary." Self-restraint in the exercise of power which gives proper weight and regard to the importance of the independence of the judiciary: this can be summarized in four Chinese words "以法限權".

The rule of law demands not only that the Government, including the Police, abide by the law, but also that the Government exercises self-restraint in the exercise of its power. Yes, under the current legal framework, the Government and the Police have immense power in regards to how it handles the current crisis. But with great power comes great responsibility. Would it be in violation of any law, for example, if the Government refuses to engage in any negotiations with the protesters, and simply cleared all the Occupy sites overnight? Of course not. Would it be in violation of any law for the Government to refuse to budge from its legalist, strictly unassailable position of sticking to the recent decision of the Standing Committee of the National People's Congress (NPCSC) on constitutional reform and forcing Hong Kong people to accept their version of "universal suffrage", as being nothing more than a voting machine rubber-stamping candidates pre-selected under the procedure designed by the Central Government? Strictly speaking, from a purely legalistic point of view, yes, they are probably entitled to do that. But the rule of law demands much more than simply abstention from violating relevant laws. Again, it demands self-restraint on the part of those in power in order to have due regard to the importance of the judiciary, especially to the responsibility of the judiciary in protecting the rights and freedoms of the people guaranteed by the Basic Law.

And I will pause here to say that out of this whole incident we have seen in the past weeks, perhaps the shining example of the rule of law in Hong Kong was when the High Court released the student leader on a writ of *habeas corpus* within 48 hours.

The rule of law demands that those in power refrain from using the law as a means of oppression. It demands that they, instead, make laws to constrain themselves from existing unbridled power "以法限權", in order to have a due regard to the rights and freedoms of the people. And isn't this what this whole constitutional reform debate is about, President? Not whether the Central Government or the NPCSC can make the decision it did ruling out genuine universal suffrage, not whether the Hong Kong Government can refuse to negotiate anything other than what is constitutionally permitted, given the wording of the Basic Law and the NPCSC decision, but rather whether the Government should exercise self-restraint in the exercise of its power in

designing the future of our political system, whether the Government, when designing the future of our political system, should exercise self-restraint by giving due weight to the rights and freedoms of Hong Kong people, particularly the right to vote and to be elected at genuine elections which reflect the true expression of the will and aspiration of Hong Kong people. And this is a decision not just for the Hong Kong Government; it is also a decision for the Central People's Government of the PRC to make.

A quarter of a century ago, the Central Government was at a crossroads. The Central Government had an opportunity to take heed of the demands of the students gathering peacefully at Tiananmen Square and take a big step towards political liberalization and democracy. It had an opportunity, yet it chose to ignore it. In fact, it did not simply ignore that opportunity, it chose to actively kill off that opportunity by brutal suppression. The Central People's Government chose to kill off that opportunity 25 years ago, apparently because developing China's economy is more important than political reform. Many people have since tried to justify the crackdown by pointing to the annual growth of GDP, by arguing that the lives of people who died at Tiananmen Square in the summer of 1989 were well worth sacrificing in exchange for the better livelihood of the millions who have benefited from the economic growth of our country.

Yet 25 years later, with China being the second-largest economy in the world, opportunity has presented itself again in the most well-run city in our country. Whether the present administration follows the footsteps of its predecessors, I do know, and I hope not, but if I may take the words of Theodore PARKER, whose sermons have been an inspiration for those who followed Martin Luther KING (I quote): "Look at the facts of the world. You see a continual and progressive triumph of the right. I do not pretend to understand the moral universe: the arc is a long one, my eye reaches but little ways. I cannot calculate the curve and complete the figure by the experience of sight. I can divine it by conscience: but from what I see, I am sure it bends towards justice." The arc of the moral universe is long, but it bends towards justice.

I take this opportunity to urge the Government and those in power to make the right decision and stand on the right side of history, alongside the students who are gathering outside this Council today as we speak, together with the rest of the Hong Kong people, and the people in this nation.

Thank you, President.

MR FRANKIE YICK (in Cantonese): President, the sector I represent fully respects the students' strive for democracy. However, we cannot accept their act of occupying trunk roads as a bargaining chip, as such act has affected the transportation service and the daily lives of other people in the territory.

On the night of 28 September, the Police fired tear gas at the protesters as some of them kept charging at the police cordon lines in a well-planned and organized manner. As the use of pepper spray had failed to stop effectively further charging by protesters, the Police, in preventing the situation from getting out of control which might lead to casualties, fired tear gas in hope of dispersing the crowds. Though I am not an expert, and do not have the competence to judge whether the use of tear gas is appropriate, I believe the Police had definitely given due consideration to the objective conditions as well as the emergency of the circumstances on the scene, before making the decision to fire tear gas.

It is the responsibility of the Police to maintain social order and take enforcement actions in accordance with the laws. Since the launching of the Occupy Central action, it is not uncommon to witness disturbances and scuffles in occupied areas. Some protesters even made various attempts to re-occupy the roads, provoke and charge the Police during these two days. Front-line police officers have been working their fingers to the bone to perform their duties in maintaining social order; and nobody has cared for officers who got hurt while on duty. On the contrary, the Police have all along been condemned by some people, in particular Members of the pan-democratic camp in this Chamber. They first condemned the Police for using pepper spray and tear gas against Occupy Central protesters, and then they accused the Police for using excessive force, being partial to gangsters, not doing a good job in protecting the protesters, and so on. In adhering strictly to the principle of maintaining law and order, front-line police officers have to face unreasonable accusations, and they would not answer back when scolded.

The other day, I saw on television a police sergeant being interviewed. In responding to the accusation that he failed to tackle an incident of a private car crashing into the crowds in Mong Kok in time, he said that, "We police officers are public servants who are supposed to help the public, yet we become rather unpopular among them now." I believe that the police officer said those words spontaneously in response to the incessant censure against the Police over the days. Nonetheless, the persons involved in the incident were eventually taken to the police station for investigation. Recently, police officers, in executing or not executing their duties, have been under fierce criticisms. No wonder some of them felt frustrated. If front-line police officers are frustrated, the consequence

can be quite serious for Hong Kong at large, and for this reason, I hope all of us can think about the issue seriously.

This is already the 19th day of the Occupy Central action. Subsequent to the launching of the action, participants have occupied major trunk roads on Hong Kong Island and in Kowloon. The occupied areas extend from Admiralty and Central to Causeway Bay, Canton Road in Tsim Sha Tsui, Nathan Road in Mong Kok, and so on. A number of major trunk roads have been blocked, resulting in serious congestion, and the traffic in the affected areas is almost paralysed during busy hours. Members of the transport industry who earn a living on the roads, including drivers of taxis, minibuses, coaches, trucks and container trucks, and so on, are certainly the hardest hit in this movement. As blockades are set up everywhere, the roads are inaccessible and the livelihoods of drivers are adversely affected. As a matter of fact, members of the transport industry can no longer tolerate the Police's inaction to clear the occupied roads, and they are highly discontented with the overly restraint exercised by the Police. They also blame the Police for not taking enforcement actions earlier to disperse the protesters.

Driven by the pressure of lives, members of the transport industry who live from hand to mouth desperately hope that the roads will be accessible again. Various transport trades, including taxis, minibuses, coaches, trucks and container trucks of various types, have formed The Alliance of the Land Transport Industry and staged a go-slow protest on 5 October to express their dissatisfaction with the Occupy Central action. They called upon protesters not to block the roads anymore, so that people could live and work normally at an earlier date. Later, members of the industry had, on a number of occasions, approached the protesters, asking them to retreat from major trunk roads, but to no avail. Feeling helpless and having no other alternative, the industry was forced to escalate their action by setting, on their own initiative, the deadline for conducting clearance operation as well as taking legal actions. Protesters in the Occupy action have all along put up civil disobedience as an excuse, showing no regard for the aspirations of the industry and the public, and depriving other road users of their right to use the roads. May I ask where does justice lie?

The industry is very grateful to the Police for reopening some roads to traffic by removing the obstacles on the roads. Though the Police's efforts have slightly alleviated the congested traffic, the traffic in Wan Chai, Admiralty and Central, which is already very busy in normal days, is still under pressure as some major trunk roads are still occupied.

Against this background, the transport industry supports the Police's effort to restore social order and unimpeded traffic on all road sections expeditiously, so that the land transport services can resume normal operation and that the livelihood of the industry as well as the daily lives and work of the public will not be further affected.

President, the sector I represent has asked me to say a few words in this Chamber today to assembly participants who have been occupying roads illegally these days. People in this sector respect the participants' right to fight for more democracy, but they also hope that the participants will likewise respect the right of other people to make a living and feed their families.

President, I so submit.

MR WU CHI-WAI (in Cantonese): On 2 February 1944, *Xinhua Daily* published an editorial entitled "On the right to vote", the contents of which have been cited by many Honourable colleagues. However, I still want to cite its contents once again. The editorial reads, "The right to vote is the most basic and fundamental political right that people in a democratic country are entitled to … whether the right to vote can be thoroughly, fully and effectively exercised is inseparably related to whether the right to stand for election has been unreasonably restricted or deprived."

The pro-establishment camp often says that there is no standard for genuine universal suffrage, but if we use the criterion adopted by the mouthpiece of the Communist Party 70 years ago when the country was facing grim national security challenges to make a judgment, the decision of the Standing Committee of the National People's Congress on 31 August (831 NPC decision) has certainly put unreasonable restrictions on the right to stand for election. It is because only 1 200 people have the right to make direct nomination and the vote of each member of the nominating committee does not have equal value; two to three Chief Executive candidates, with the endorsement of more than half of all the members of the nominating committee, will be nominated, to be elected by "one person, one vote" by all eligible electors in Hong Kong.

The pro-establishment camp keeps saying that "one person, one vote" is tantamount to universal and equal right to vote, that is, universal suffrage. Nevertheless, by the right to vote as advocated by the Communist Party all along, it is explicitly stated that there should not be any unreasonable restrictions. Therefore, the pledge of universal suffrage as understood by Hong Kong people

actually adheres to the criterion adopted by the Communist Party in 1944. The Communist Party announced to all Chinese people that the right to vote and the right to be elected should not be subject to unreasonable restrictions.

Against this background, the students have inherited the zeal of the then Communist Party for the country and the people. They proposed a protest in the form of class boycott but continuous learning, hoping to urge the Communist Party and the Chief Executive to listen and respond to public opinion. Unfortunately, the Government had not taken measures to ease public grievances in response to the demands of the students; on the contrary, it had taken tough measures to arrest young student leaders, which triggered greater public backlash. The Occupy movement has entered the 19th day. Regarding the Government and pro-establishment Members, apart from saying they have heard and understood the demands of the protesters, what else have they done?

They keep accusing the protesters of using weapons to charge at the police cordon lines; such weapons are in fact self-protective gears, such as goggles, face masks, umbrellas and cling film. Some pro-establishment Members even said that these gears were powerful enough to challenge the fully armed police officers. If umbrellas are so powerful, should the Legislative Council stop providing funding to the Police for purchasing firearms in the future? The Police only need to purchase umbrellas, goggles and cling film; why does it need to apply to this Council for considerable funding for the purchase of highly defensive firearms?

Obviously, in saying that umbrellas are powerful offensive weapons, the pro-establishment camp fails to justify its argument on such shaky stand. They have not used their influence on the Central Authorities and the Government to point out that if the constitutional issues cannot be resolved, Hong Kong will have governance problems, and can hardly be governed. This is the viewpoint raised by President Jasper TSANG all along. After the three "doors" on constitutional reform have been shut, governance has become a problem in Hong Kong and society has plunged into chaos. The never-ending disputes have become the norm. Does the pro-establishment camp have any solution to this problem?

Members of the pro-establishment camp always say that the current Occupy movement violates the rule of law, affects the economy and brings inconvenience to the public. But where is the way out for long-term governance? All in all, it seems that they make such comments to pave way for the future tough clearance operations undertaken by the Government and the

Police. This reflects that the Central Government has used unlimited resources to rope the pro-establishment camp in, but they can only become forces for maintaining stability and know nothing about long-term governance needs. Have the country wasted its resources on the good-for-nothing wealthy second generation for maintaining stability?

The SAR Government has extensive and powerful executive powers, as well as a strong Police Force; Members of the pro-establishment camp who control the Legislative Council act to appease its master. They have adopted various means to influence the reporting of the media and have formulated policies to affect people's livelihood. To get to the root of the matter, can the Government evade its responsibility? Can the pro-establishment camp evade its responsibility? According to the pro-establishment camp, Occupy Central is the crux of the problems; members of the public who dashed onto the roads had led to the problem. However, if the 831 NPC decision had, as pledged by the Communist Party in the early days, made arrangements for the implementation of a universal and equal election without unreasonable screening, we should be discussing today the details of the election of the Chief Executive by universal suffrage in 2017. Why would students and people zealous in pursuit of their ideals need to live on the streets? The answer is obvious.

Evidently, the root of the problem today lies in the fact that the 831 NPC decision has shut the door tight. The Government and the pro-establishment camp have not considered that, even if the Occupy movement can end for the time being, endless disputes are bound to arise in the future, as there is no way out for the constitutional reform, and the Communist Party's promise has become superfluous words. In fact, we have recently seen guerrilla-style resistance on the streets. Think carefully, will the problem be resolved with the ending of the occupation of Harcourt Road or the Occupy movement? If the problem cannot be resolved, what will be the way out? Don't tell me that Hong Kong should become a Mainland city where nobody will charge the Government yet they still have a free will? If so, does Hong Kong still have its value as a distinctive place under "one country, two systems"? If this cannot be done, the current economic and livelihood issues will emerge again. Do we wish to see that the situation and life in Hong Kong would become no different from that in other Mainland cities?

The Occupy movement has become the collective memory of a generation of young people and time is definitely on their side. Have the pro-establishment camp and the LEUNG Chun-ying Government considered how they can patch up

the gap between them and this generation of young people? Do they think young people who participate in the Occupy movement will ultimately succumb to power and fear? If they really think so, even when force is eventually used to maintain stability and Hong Kong becomes one of the cities in the country, Hong Kong will no longer be the same as it is today. We have actually noticed that China aims to creating a few more cities of the same hardware standard as that of Hong Kong, hoping that these cities would ultimately replace Hong Kong. Where is our way out? Can the problems be resolved after these short-term issues have been settled? Should we find the long-term direction and get out of the doldrums?

This generation of young people are pondering over how to get out of this predicament because they clearly know that if Hong Kong cannot retain its characteristics or take advantage of its favourable software conditions to continue to move forward and become a model city in China, we will simply be replaced. The objective of young people is to defend the core values of Hong Kong, and the edge of these core values determines whether the governance software of Hong Kong will fail, and whether these values would become the basis of our future development. We can only seek consensus on this basis and give impetus to building the future, instead of insisting that we can withstand the challenges from Mainland cities by competing in terms of hardware development.

Let us be honest with ourselves, as far as airports are concerned, the Guangzhou Baiyun International Airport has three runways while our third runway would only be completed 10 years later, assuming that there is no argument. If we do not rely on our advantages in software, and if we do not have some advantages under the "one country, two systems" that attract people from other countries to come to Hong Kong and invest or to set up their logistics or regional bases here, how can we compete with other people and what advantages do we have? Even if the third runway is built, it will be useless; as in the case of the Express Rail Link, it will be a "useless" rail if it is not complemented by the co-location of boundary control facilities.

We always talk about hardware but we have forgotten that our most important value is our software, that is, our core values, freedom and the rule of law. All these values rely on our ability to find a platform for resolving social conflicts. Otherwise, as Mr Dennis KWOK has said earlier, the rule of law would become using the law to rule the people, that is, the rule of law with Chinese characteristics. Is that what we want? If not, we have the responsibility of finding a way out for this generation of young people.

If we sincerely wish to do something for the well-being of Hong Kong in the future, we cannot possibly reject the ideal of this generation of young people. If we are to solve the problem, we must start dealing with the political system. I wonder if the pro-establishment camp has ever considered if the only solution to Hong Kong's problem lies in the Police's enforcement in accordance with the law. Have they ever thought that this is a very small step towards the solution of the problem? What is the big step to be taken to solve the problem? If Chief Secretary Carrie LAM, who is the second commander in Hong Kong, considers that she is an outsider, should we allow LEUNG Chun-ying and his comrades to stir up trouble in Hong Kong?

For the past 10-odd days, we have seen the conflicts between the protesters and the Police. Just like many other people, I feel very uncomfortable. Nonetheless, the fact that LEUNG Chun-ying has been hiding behind the Police made me feel even more uncomfortable and disgusted. As a political leader, he has not resolved political issues by political means. He does not have the courage and undoubtedly, he neglects his duty. He has also ruined the good reputation of the Police, which is even more unforgivable. As we have noticed, the Police are putting up with immense pressure. Who should be blamed? LEUNG Chun-ying has turned the Police into pawns and the Police are caught in the middle between the Government and the masses. LEUNG Chun-ying once claimed that he would visit various districts, carrying a notebook and a folding chair with him, why is he hiding at the critical moment, and disappear without a trace?

LEUNG Chun-ying, let me remind you, we will never forget the disaster that you have brought to Hong Kong people, and we will definitely ask you to repay!

SUSPENSION OF MEETING

PRESIDENT (in Cantonese): I now suspend the meeting until 9 am tomorrow.

Suspended accordingly at 7.59 pm.